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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. SALAZAR).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 26, 2009.

I hereby appoint the Honorable JOHN T. SALAZAR to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Reverend Michael E. Askew, Sr., Trinity United Presbyterian Church, Tallahassee, Florida, offered the following prayer:

Heavenly Creator, maker of days past, present and future, we humble ourselves in the breaking of this new day, so that in all of our efforts and energy, we give glory to You.

We pray for each Member in this United States House of Representatives and their staff. We ask that in the actions and deliberations of today, resentment, strife, bitterness, and anger will not prevail.

Rather, each Member is mindful to hear the voices and concerns of people they serve, of those serving in the military, of those living in small towns, on farms, in rural communities, and in cities throughout the United States, so collectively and conscientiously we may find methods and solutions to help even the least among us during these troubled times.

With great joy and gratitude, we stand before You ready to serve. Lord, hear Your people as we pray.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from California (Mr. HONDA) come forward and lead the House in the Pledge of Allegiance.

Mr. HONDA led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 8. Concurrent resolution expressing support for Children's Dental Health Month and honoring the memory of Deamonte Driver.

The message also announced that pursuant to section 8002 of title 26, United States Code, the Chair, on behalf of the Committee on Finance, announces the designation of the following Senators as members of the Joint Committee on Taxation:

The Senator from Montana (Mr. BAUCUS).

The Senator from West Virginia (Mr. ROCKEFELLER).

The Senator from North Dakota (Mr. CONRAD).

The Senator from Iowa (Mr. GRASSLEY).

The Senator from Utah (Mr. HATCH).

WELCOMING REV. MICHAEL ASKEW

The SPEAKER pro tempore. Without objection, the gentleman from Florida (Mr. BOYD) is recognized for 1 minute.

There was no objection.

Mr. BOYD. Mr. Speaker, I am extremely pleased to have had Rev. Michael Askew from Tallahassee, Florida, as our guest chaplain today to lead us in prayer this morning. I appreciate his insightful words and spiritual message.

Rev. Askew joins us from the Trinity United Presbyterian Church of Tallahassee, Florida, where he has led the congregation since September of 2008 after arriving there from Milwaukee, Wisconsin. Rev. Askew has an impressive 20-year career as an educator and careworker to at-risk youth. He is a man of God, a man of service, and a spiritual leader and teacher in the Tallahassee community.

I would like to commend Rev. Askew for the positive impact he has made on so many lives in my community and others. We are grateful for his service, and I wish him the very best as he continues to guide his congregation in the coming years.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain five further requests for 1-minute speeches on each side of the aisle.

EFFECTS OF THE ECONOMIC DOWNTURN

(Mr. HONDA asked and was given permission to address the House for 1 minute.)

Mr. HONDA. Mr. Speaker, I would like to give voice to several of my constituents' stories about how they are being impacted by the economic downturn.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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One constituent, Robert, told me about how he and his wife lost nearly 60 percent of their retirement funds. They have no pensions, no 401(k)s, and no health care coverage.

Another constituent told me how he lost his job 4 months ago and is now drowning in college loans and bills. These stories are all too common.

Every one of us is feeling the effects of the economic downturn. But I, along with my colleagues in Congress, will advocate for you and your family's needs every day.

EARMARKS ARE ESSENTIALLY NO-BID CONTRACTS

(Mr. FLAKE asked and was given permission to address the House for 1 minute.)

Mr. FLAKE. Mr. Speaker, yesterday we passed an omnibus spending bill with more than 8,600 earmarks. Many of them are simply wasteful, including 1.8 million to combat swine odor in Iowa. Maybe that could have been spent a little closer to home.

But a lot of these earmarks, a few thousand of them, have the potential to be far more damaging to this institution because they are essentially no-bid contracts. In many cases, they're no-bid contracts to those who turn out to be campaign contributors to Members who secured the no-bid contract.

We have to ask ourselves, is this proper for the House to do? Should the House of Representatives allow its Members to award no-bid contracts to their campaign contributors? It doesn't seem right, Mr. Speaker. We owe this institution far better than that, and we ought to stop the practice.

COMPREHENSIVE IMMIGRATION REFORM

(Mr. BACA asked and was given permission to address the House for 1 minute.)

Mr. BACA. America recently elected not just the first African American to serve as President but also the son of an immigrant. Yet, the positive contributions of immigrants never seem to make it through the smoke of politics that blurs the issue of immigrant reform.

We must not forget that we are a Nation built by immigrants. Today, there are 12 to 14 million undocumented, hardworking immigrants contributing to our economy.

As we struggle to rebuild our economy, we must not forget that a comprehensive immigration reform is needed to bring out of the shadows hardworking immigrants. We must make sure that all workers are on a level of playing field and that the exploitation of undocumented immigrant workers ends.

We must make sure that unscrupulous employers are punished and that families are respected.

I urge my colleagues to work with me and for the President to keep his

word and work towards comprehensive immigration reform.

BANK BAILOUT BLUNDER—NORTHERN TRUST

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the Chicago-based bank Northern Trust took \$1.6 billion in bailout money. But last week the bank threw a high-dollar party in Los Angeles. The celebration included flying in guests and employees to stay at the Ritz and the Beverly Hills Wilshire.

The bank hosted a \$6.3 million fancy golf tournament. Northern Trust partied all week by entertaining the rich and famous.

Nightly concerts were held that included the groups Earth, Wind and Fire, Chicago, and even singer Sheryl Crow.

One night, the bank rented the entire establishment of the House of Blues for \$50,000 to enjoy the necessities of life.

When it was all over, the party animals received Tiffany gift bags. A good time was had by all.

Mr. Speaker, corporations can do what they want with their own money, but when banks take taxpayer money, they are responsible to the taxpayers. The bank says they didn't ask for the money. Well, if that's so, the bank should do the right thing. Northern Trust, give us back our \$1.6 billion because you can't be trusted with our money.

The bank blunder bailout loan has come due.

And that's just the way it is.

NATIONAL PEACE CORPS WEEK

(Mr. SIREs asked and was given permission to address the House for 1 minute.)

Mr. SIREs. Mr. Speaker, today I rise to celebrate National Peace Corps Week and to honor the agency's 48th anniversary. Since the Peace Corps began in 1961, over 195,000 volunteers have served in 139 countries around the globe. Currently, there are over 7,800 Peace Corps volunteers serving in 76 countries, including two of my constituents.

Jaskirat Singh is currently serving in Jordan until September 2010, and Antoinette Day is currently serving in Bulgaria. I am incredibly proud of their service and the lasting contributions they are making to improve the lives of people in the communities where they are serving.

I would like to commend all the Peace Corps volunteers for their dedicated service to our Nation and for expanding and creating new opportunities for people in the developing world.

REAUTHORIZATION OF E-VERIFY

(Mr. CALVERT asked and was given permission to address the House for 1 minute.)

Mr. CALVERT. Mr. Speaker, I rise today because 7 months from now the E-Verify program will expire. It is unacceptable that Congress continues to kick the can down the road on E-Verify. Last Congress, I along with 406 other Members of Congress, voted to extend E-Verify for 4 years. It was a bipartisan bill that had the overwhelming support of Members, as well as the American public. Congresswoman GIFFORDS and I have introduced the same legislation this Congress, H.R. 662.

Let's be clear: Reauthorization of E-Verify is not immigration reform. The existing voluntary program is the only way for employers to ensure that they are complying with existing law, which requires them to hire a legal workforce. Extending the voluntary program will also provide certainty to the 106,000 users of the system, including the States of Arizona and Mississippi, that E-Verify will continue to be available.

So why do we find ourselves counting down to an expiration date? Because there are certain special interests that may try to leverage E-Verify for a so-called comprehensive immigration reform bill.

We cannot allow the reauthorization of E-Verify to be tied up in a battle over an amnesty bill. Let's bring the bipartisan reauthorization of E-Verify through regular order and give the American people, and the thousands of E-Verify users, the assurance that employment verification will continue to be available.

HONORING THOSE WHO HAVE DEPARTED

(Mr. HASTINGS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Speaker, one of the greatest privileges we have in the House of Representatives is an opportunity to come before this body and take cognizance of the extraordinary work of people in our constituency throughout the United States. When they depart life, very occasionally we come here to say something about it.

In the last 2 months, Fletcher Gibson, Ronald Dallas, Pat Larkins, and Andrew DeGraffenreidt, constituents and personal friends, some fraternity brothers of mine, have departed this life.

I take this opportunity that's given to us by our citizenry to express my condolences to their families. Each in their own way were legendary, iconic figures in Broward County, and I deeply appreciate the service they gave to humankind, and I honor them and offer condolences to their families.

HELPING FAMILIES SAVE THEIR HOMES ACT

(Mr. SMITH of Nebraska asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Nebraska. Mr. Speaker, as a former Realtor, I have seen the hurdles, struggles, and certainly triumphs of homeowners.

Later today, we will be voting on H.R. 1106, the Helping Families Save Their Homes Act. I understand the need to help those who need it, but we must be mindful we don't wind up hurting those who are not in dire straits.

Responsible homeowners, many of whom are struggling themselves, should not be saddled with the costs of subsidizing bad behavior on the part of banks or borrowers.

Mr. Speaker, earlier this week President Obama stood in this very space and called on Congress to work together to put our country back on the right fiscal track.

I agree wholeheartedly, and I urge my colleagues to work in a bipartisan manner instead of enacting cramdown legislation, adding even more risk to the mortgage market.

ECONOMIC STIMULUS BILL

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, I was proud to vote for the economic stimulus bill, and one of the things that it had that is most effective, timely, targeted, and temporary is unemployment compensation of people who are on the front lines and suffer because of this recession.

Money going to those people immediately go into the economy and stimulate the economy, and nobody can debate that. It also helps the people most in need.

So I was most distressed when southern governors, led by Bobby Jindal, a former Member of this House, and others and now my own governor have suggested they may not take that money. To not take that money means this recession lingers. To not take that money means the people that have been hurt the most suffer the most again.

It is wrong, and it reminds me of old, unrepentant, unreformed southern governors with interposition dripping off their lips who gave this, the South, a bad reputation because they didn't work with the Federal Government to make this a more perfect Union.

□ 1015

PROVIDING MEANINGFUL HEALTH CARE REFORM

(Mr. TIM MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, this week President Obama came before us and outlined the priorities for health care reform. Good. But let's keep in mind what reform is.

The high cost of health care is not cured by massive injections of money

and taxes. We must eliminate the \$500 billion in annual waste. Electronic medical records will help, but only if it puts critical information in doctors' hands and they are personal, private, and portable.

Eliminating hospital-acquired infections must also be a priority. Infections kill 100,000 patients a year and cost us \$50 billion. In the 3 years I have come to this floor to ask Members to take action, nearly a quarter of a million people have died unnecessarily. How many more will have to face this preventable disease before we push for meaningful reform?

Health care reform is about fixing our health care system, not just financing it and financing its problems. Let's make health care reform real reform, because lives depend on us.

PROVIDING FOR CONSIDERATION OF H.R. 1106, HELPING FAMILIES SAVE THEIR HOMES ACT OF 2009

Mr. HASTINGS of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 190 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 190

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1106) to prevent mortgage foreclosures and enhance mortgage credit availability. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Financial Services and the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. Notwithstanding clause 11 of rule XVIII, no amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. HASTINGS of Florida. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentlewoman from North Carolina (Ms. FOXX). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. HASTINGS of Florida. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous material into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H. Res. 190 provides for consideration of H.R. 1106, the Helping Families Save Their Homes Act of 2009, under a structured rule. While the rule waives clause 10 of rule XXI regarding PAYGO, there is only a technical violation of clause 10 by section 204 of the bill. Because of the timing of cash flows of the Federal Deposit Insurance Corporation, the provision increases direct spending in the first 5-year period, but more than offsets that increase in the 10-year period.

Mr. Speaker, H.R. 1106, the Helping Families Save Their Homes Act of 2009, takes a vital step toward reviving our housing market, stemming the tide of home foreclosures and putting our Nation's economy back on track.

This bill would first give bankruptcy judges the ability to modify, at their own discretion, mortgage loans on a homeowner's principal residence if the homeowner meets specified, stringent criteria. Further, this legislation would also help veterans and other homeowners avoid foreclosure by allowing the Department of Veterans Affairs, the Federal Housing Administration and the Department of Agriculture to guarantee and/or insure mortgage loans modified either out of court or in a bankruptcy case.

This bill would also provide a safe harbor from liability to mortgage servicers who engage in loan modification workouts or other loss mitigation. Many services, Mr. Speaker, have claimed that fear of litigation or uncertainty about what modification actions may be permitted under their agreement have kept them from participating in loan modifications or other workouts. With the safe harbor provisions in this legislation, they will no longer have any excuse.

Additionally, this bill makes much-needed changes to the HOPE for Homeowners program in order to encourage greater lender participation. It puts the HUD Secretary in charge of running the program, reduces fees and eliminates other administrative burdens, and changes the profit-sharing

provisions to induce more loan writedowns.

Finally, this bill makes permanent the temporary increase in deposit insurance coverage for both the FDIC Deposit Insurance Fund and the National Credit Union Administration Share Insurance Fund. This provision will enhance the liquidity and stability of our banking institutions and help restore confidence in our financial system.

Some have criticized the bankruptcy cramdown provisions in this bill, and I share some of their concerns, claiming that they will cause massive losses to financial institutions, increase the cost of borrowing for other homeowners or lead to a sudden surge of bankruptcy filings. I am not certain that this is the case. Modifications will be at the individual discretion of a bankruptcy judge who will make the determination of whether a borrower has acted responsibly and their claim has any merit.

This provision will maximize, not lessen, the value of troubled mortgages for the lender, and will avoid the decline in property values in neighborhoods where homes have been foreclosed on. It is preposterous to think that individuals would willingly submit themselves to the arduous process, negative stigma and long-lasting effects of filing for bankruptcy. Bankruptcy will remain as it has always been, a last resort.

Under current law, bankruptcy judges already have the authority to modify loans on virtually every secured claim, including vacation homes, investment properties, private jets and luxury yachts, except for primary family residences. This loophole is outdated and in my view absurd, and it must be rectified.

Some may also argue that we are bailing out reckless borrowers at the expense of those who were prudent and responsible. However, many individuals who have duly made every single monthly payment and lived within their means are seeing their home values drop and no longer have the ability to refinance due to the rapidly declining market. Some who are being swept up by the foreclosure crisis are victims of bad lending practices and some who played by the rules and acted responsibly are now finding themselves underwater through no fault of their own.

Throughout this Nation, Mr. Speaker, millions of families are in danger of losing their homes. And while it is easy to think that the foreclosure crisis affects no other than those directly involved, the truth is this crisis has had and will have a rippling effect all across the country. Not only are individuals' livelihoods gravely impacted, but as foreclosures go up, surrounding home prices go down, tax revenue for vital public services falls, financial institutions are saddled with losses, access to credit shrinks and our economy grinds to a halt. This legislation helps put a stop to this deadly spiral.

In my home State of Florida, Mr. Speaker, estimates show just in Flor-

ida alone that approximately 160,000 homes can be saved as a result of court supervised modifications. Additionally, a recent report by Credit Suisse estimates that the safe harbor provisions alone will lessen foreclosures by 20 percent.

Just this past Wednesday, President Obama announced his comprehensive homeowners' affordability and stability plan. This legislation is the first step toward putting this plan into action.

Mr. Speaker, I do not pretend that implementing this legislation will prevent every single foreclosure. In fact, there are some cases for which foreclosure is the correct action. However, this bill will help ensure responsible individuals stay in their home and will mitigate the destructive impact of foreclosures on families and communities.

This bill addresses our Nation's foreclosure crisis in a meaningful and responsible fashion by reforming our bankruptcy laws, clearing legal impediments to loan modifications, improving the HOPE for Homeowners program and ensuring confidence in our banking system.

Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

I thank my colleague from Florida for yielding us the time on this rule, and I also want to say that I thank very much the chairman of the Judiciary Committee, Mr. CONYERS, for his help yesterday in the Rules Committee meeting on incorporating a suggestion that I made into the manager's amendment. It didn't make it in this bill in the form of an amendment, but he was very kind to include that, and I think it made this bad bill a little bit better.

I want to say that my colleague from Florida has made some very eloquent comments about why this rule should be adopted and why the underlying bill is such a good bill. However, those of us on this side of the aisle have some clear concerns about this rule and about the bill and what it is going to be doing to our economy.

We heard yesterday a lot of numbers that were very, very difficult to pin down. In fact, I tried very hard, knowing I was going to handle this rule this morning, because I wanted to try to get a handle on the number of people that we are talking about.

We heard the number 14 million. We heard 14 million now and more later. But we also heard that what this bill will do will be to allow the bankruptcy system to handle about 30,000 new cases per year. My guess is that while this bill claims not to be needing a lot more money in that area, that eventually our colleagues across the aisle are going to come back asking for more money to deal with this issue.

□ 1030

But what I want to talk about today a little bit is both the process and

about the reason why the rule should not be adopted and the bill should not be adopted. 94 percent of the people in this country are now paying their mortgages and paying them on time. What's going to happen if this bill is passed is that those people, and people in the future, are going to be punished. We are continually punishing the people who play by the rules and rewarding the people who don't play by the rules. It is a real shame that we have come to that place in our society because we don't want to set that as the norm for what we're doing in this country, because we've always had the rule of law and we've operated very well. What separates us from most other countries is that.

And yet, now we're going to say to people, it's okay if you go out, misrepresent your position in terms of being able to pay for your mortgage or do any kinds of things like that, and then we'll bail you out. It will be okay for us to do that. And that, basically, is what this bill is, the message that we're sending.

But let me talk just a bit about the process that was involved in bringing this rule to us. We had a very lively debate in the Rules Committee yesterday. The chairman of the Financial Services Committee told us that he was very willing to accept some of the amendments that had been offered. They might not exactly fit in the Financial Services Committee, but he was willing to work with some of our Members to make those fit.

We had 20 amendments offered, Republicans did. Only one of those amendments was accepted to be offered today, and it looks like we may have a problem with that amendment once it is offered.

We are trying very hard to be bipartisan. We want to work with the majority on helping the people in this country who are truly hurting, who have played by the rules and who are being hurt by the economy, through no fault of their own. However, what this bill, again, is going to do is it is keeping us from being bipartisan. We have to be opposed to the rule and opposed to the bill because they've put together bills that should not be put together. Many of us could probably support the Financial Services part of this bill, but we would be very concerned about the Judiciary part of it. But no, the majority has to lump them all together and create a situation that denies our ability to be bipartisan.

A couple of the rules that were offered yesterday and in the various committees that Chairman FRANK said he was willing to have a debate on was a rule offered by Representative NEUGEBAUER which would amend the servicer safe harbor provisions to provide that unsuccessful plaintiffs would pay all the attorney's fees and any legal costs incurred by the defendant.

Another one by Congresswoman CAPITO would exempt the Federal Housing Administration, Veterans Administration Loan Guaranty Program

and Guaranteed Rural Housing Loans from adjustments to the terms of the loan in bankruptcy. These already are very, very lenient programs and, supposedly, all the work has been done so that there would not be the need to go to bankruptcy.

Also, Congressman HENSARLING offered, I offered on his behalf, three excellent amendments that would, I think, help with the issue of responsibility and accountability. The President talks a lot about that, but when it comes down to implementing those things in legislation, we see nothing coming from the majority on those issues.

Let me mention the Hensarling amendments which were denied, and we can't even vote on them. One would exclude from participation in the HOPE for Homeowners Program any borrower whose original loan was a zero down payment loan. Many of these people are treating these homes that they bought like rental property. They have no investment in them, and so when the economy goes south or the home is not worth as much as they thought it was worth, they just walk away from it. That's no sense of responsibility. We're just, again, rewarding irresponsibility.

Another amendment by Congressman HENSARLING would exclude from participation in the HOPE for Homeowners Program any borrower whose original loan documentation did not include verification of the amount and source of income. A lot of these loans were given out to people who did not bring information on their income. That seems a logical thing to do. Most people, again, who are paying their mortgages are people who paid something down and then were able to show that they could pay for the home ultimately.

And then the third one would have excluded from participation in the HOPE for Homeowners Program any borrower who has a family income that exceeds 125 percent of the area median income for where they live. Republicans are usually the ones criticized for helping wealthy people, but this bill is going to allow millionaires to be able to get help. We don't think that that's the right thing to do.

Those were three very logical amendments that were turned down. As I said, only one out of 20 of our amendments was accepted. So we think that this is a bad rule. We think it's a bad bill and we're going to urge our colleagues to vote "no" on it.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 3 minutes to my very good friend from Florida, the gentlewoman, Ms. CASTOR, an immediate past member of the Rules Committee that left us for greener pastures.

Ms. CASTOR of Florida. I thank the distinguished gentleman from Florida and my good friend, Mr. HASTINGS, for yielding the time.

Mr. Speaker, I rise today in strong support of the Helping Families Save Their Homes Act and this rule. This Act throws a lifeline to families who are fighting to stay in their homes during this economic crisis.

Now, as Mr. HASTINGS knows, we have a very high rate of foreclosures in the State of Florida, and my Tampa Bay area community has been particularly hard hit. That is why last year I began holding foreclosure prevention workshops, so that homeowners could sit down, face to face with lenders and servicers and work out a refinancing. I'm planning my fourth workshop now.

These homeowners appreciate the opportunity to sit down one on one because most of the time they have a very difficult time getting in touch with the lender or servicer. They won't answer the phone.

I know many in the banking industry do not like this bankruptcy provision that allows bankruptcy judges to modify home loans. But, frankly, they've brought this on themselves to a great extent. I encourage you all to check the video of Congresswoman MAXINE WATERS staying on the phone for an hour just trying to get a bank to answer the phone and pick up the line so that a responsible homeowner can get into a refinance. They don't want a bailout. They just want a little breathing room and the opportunity to refinance.

This Act today will help. It won't help everyone, but it will also provide a prod, an incentive to these banks to refinance these loans. It's fair and equitable to allow home loan modifications because right now, in bankruptcy, every other asset can be worked out. The new law will allow loan modifications in bankruptcies and it will prod the lenders and servicers to hire the necessary personnel, answer the phone, begin the refinancing that they should have been doing over the past year.

Many of these banks have received billions in taxpayer dollars. And I know that President Bush did not include a condition that these banks should refinance or sit down with folks and begin a discussion, but that must be a requirement now, or else foreclosures and the continued deterioration of all of our property values will continue.

President Obama's plan also will provide responsible homeowners with additional leverage. And Congresswoman DORIS MATSUI from California and I have an amendment contained in this Act that will encourage a holiday for foreclosures until President Obama's plan takes effect.

We're going to continue to stand up for responsible families and ensure that if you work hard and you play by the rules, the tools and resources will be available to help you stay in your home.

Ms. FOXX. Mr. Speaker, I would now like to recognize for 5 minutes my distinguished colleague from Iowa (Mr.

KING) to discuss the amendment that he had written that I offered last night in the Rules Committee, which was rejected. And I think he will share some very enlightening comments with us.

Mr. KING of Iowa. Mr. Speaker, I thank the gentlewoman from North Carolina for yielding, and also for her diligent endeavor on the Rules Committee to try to hold together the integrity of this system and this process.

On this cramdown legislation, the amendment that I offered in the Judiciary Committee was an amendment that would have, and I'd just take the language right out of it, it would have allowed the court to find that there had not been misrepresentation, false pretenses or actual fraud on the part of the lender if there's going to be a change in this contract ordered by a judge.

Now, we don't want to reward people who are lawbreakers, or those who are disingenuous, or those who, by fraudulent or misrepresentative means to take advantage of a lender under these circumstances. This is new territory we're in. It's a narrow standard in a significant way.

This was an amendment that not only I thought was a good proposal, Republicans thought it was a good proposal, but the Democrats also thought it was a good proposal. And this amendment is an amendment that I negotiated across the other side of the aisle in committee. It's an amendment that the chairman voted for. It's an amendment that passed, the bill passed on a recorded vote in committee, 21-3, Mr. Speaker.

So when that happens in this process, the people who took government class all over America and read the Constitution believe that's the language that comes to the floor, that the language that's approved by the committee on a final markup is the language that comes to the floor.

But what happened was, H.R. 200 was switched out for H.R. 1109, or whatever this bill is that we're working with. The language of this cramdown was to be transferred into that, but it was changed in that process. It was changed after we had a committee markup, a committee markup that apparently doesn't have any value when the will of the committee can be usurped by the staff of the committee. And I say the staff of the committee, because when I asked the chairman about this yesterday in the Judiciary Committee, he didn't seem to be aware that my language had been changed. And so we talked to their staff, and their staff said, well, there were Democrats that had some second thoughts. Wouldn't that include the chairman of the committee? And so they reconsidered and they rewrote the bill after the fact. And the final answer that came from the staff, the unelected staff, probably still employed, not if they were working for me, is "it is what it is." In other words, tough. You can pass an amendment. You can negotiate

an amendment. You can get a 21-3 vote. You can have the support of the chairman. But if they decide when the sun comes up the next morning that they want to change their mind, they will change the language in the bill without even having the courtesy of contacting the sponsor of the amendment, the ranking member of the committee or, apparently, the chairman of the committee.

And so I brought an amendment request to the Rules Committee last night. And thankfully, Dr. FOXX offered that amendment to the Rules Committee. It was voted down on a party-line vote.

So what we have now is a process that does not reflect representative government. It doesn't reflect the will of this Congress. It reflects the will of somebody's staff.

And there's plenty of means to change the language if there happens to be some kind of flaw in it. And I'll argue there is not. But there's plenty of means. That means would be come to the Rules Committee, bring your own amendment. Or bring this out on the floor for an up-or-down vote, or lobby the Senate to amend it over there, or seek to get something amended in conference. None of those avenues were followed, Mr. Speaker. And I think it brings a sense of shame upon this Congress that the integrity of a Member, of the entire Republican side of the aisle and many of the Democrats has all been usurped by what appears to be a staff decision, because I can't find a single elected Member that will say yes, I took responsibility and I didn't think you ought to know when I changed your language. That's what's going on.

I urge this body to vote down this rule. Take this thing back to the Rules Committee, bring us the language that was passed out of the Judiciary Committee, or at least let's have some dialogue on why it was changed in the dark of the night by staff without a single Member that will take accountability for what's happened here.

□ 1045

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to my good friend, the gentleman from New York, a member of the Judiciary Committee, Mr. NADLER.

Mr. NADLER of New York. Mr. Speaker, this legislation is an opportunity for Members to help families who are about to lose their homes thanks to a terrible combination of job loss, spiraling health costs, declining home values, and predatory lending practices. It will, among other things, correct a 30-year-old anomaly in the bankruptcy code.

If you're a family farmer, you're allowed to use bankruptcy to modify your mortgage. We enacted that law in 1986 during the farm foreclosure crisis. It was a success, and we made it permanent 3 years ago. If you're a real estate speculator or if you own 5 or 20 or

50 homes, you can modify your mortgage in bankruptcy. If you're a major corporation, you can modify all of your loans and contracts in bankruptcy. The only exception is the family home. Yet, while millions of middle class families are on the verge of losing their homes, much of the banking industry and some Members of this House are still opposed to providing the same relief to the middle class that is now enjoyed by farmers, speculators, the wealthy, and major corporations.

Lenders warn that we can't save the family home because it will increase borrowing costs for everyone else. This is the same industry that in 2005 told us that making bankruptcy more onerous would reduce people's interest costs by \$400 per year on their credit cards. Nothing of the sort happened, of course.

The banks have received billions of dollars from the taxpayers to keep the industry afloat, but they scream at the thought of our helping a few thousand families. I have nothing against Wall Street. In fact, it's in my district, but it is time we did something for the middle class homeowner. We tried the voluntary modification route without success. Maybe the programs in this bill will all work this time, but families getting thrown out of their homes shouldn't have to wait for Congress to figure out how to get banks to save the middle class. The banks have failed to save troubled homeowners. We must not fail. For every day we delay, the crisis deepens. People's lives hang in the balance. It is time we put American families first.

I urge my colleagues to support the rule, to support this legislation and to end this anomaly in the bankruptcy code that affects only homeowners. Let them enjoy the same rights as everyone else.

Ms. FOXX. Mr. Speaker, I mentioned before that 94 percent of the American people are paying their mortgages and are paying them on time, and they don't understand why this is happening and why they should be burdened with having to pay off the mortgages of people who are not being responsible and who are not being held accountable.

I want to share with you an article that came out in *The Washington Post* last December about the HOPE Program and about the situation that we're dealing with. When I read the article, it made me realize that our colleagues across the aisle are simply not in touch with reality. They don't have any idea about how the real world works. Most of them have not been in business. Most of them have not had to meet a payroll. They're living sort of in a Never Never Land, and I'm going to quote some things from this article that, I think, will help the public understand what that is.

There is criticism about the bill from the HUD Secretary. Now, that HUD Secretary was in the last administration, and there is a lot of blame back and forth between Congress and the ex-

ecutive branch. This is what the HUD Secretary said:

"What most people don't understand is that this program was designed to the detail by Congress."

So that bill was passed. The bill setting up the HOPE Program was passed under the Democratic Congress. It also shows how off their numbers are in so many cases when they make predictions. They said the 3-year program was supposed to help 400,000 borrowers avoid foreclosure, but between October and December of last year, only 312 applications had come into the program.

Let me tell you a little bit about why that is the case and why, I think, people who irresponsibly got mortgages to begin with continue to look for bailouts and continue to look for welfare. This is basically expanding the welfare program in our country by passing this bill. Here is what one of the people said who is working with those people who might benefit from the program:

"Getting the lenders to agree has been our biggest challenge," said Peyton Herbert, director of the foreclosure services at HomeFree-USA, a housing counseling firm in Hyattsville.

This is what he says. This is the ridiculous way that these folks respond to this. He says, "The lenders want dollar for dollar what's owed on that loan or something close to it. That's the fly in the ointment."

Imagine that. People who loan other people money want them to pay it back dollar for dollar. Isn't that an unusual situation? But that's the way most of us operate in this country. However, most of these people who got these loans and who are in trouble now got them because they never expected to pay them back. They expected somebody to bail them out. They weren't honest when they got the loans, and now they're going to be bailed out by this legislation.

The other thing, which is just mind-boggling to me, is how the press writes these. Okay. "The number one impediment is the lenders will redo their loans if the people promise to pay them back." Now, that's the way it usually operates, but the article goes on to say, "The list of impediments goes on."

That's the attitude of *The Washington Post*. There is an impediment given out there to the people who want to redo their loans. Do you know what that impediment is? That the people who are getting these loans, if their home increases in value, they have to split that value with the Federal Government, which is underwriting their loan, if they sell the home; and the people don't want to do that.

Again, there is no sense of responsibility. We didn't hear the President the other night talk about personal responsibility, personal accountability. He uses those words a lot, but he never pins them on anybody. It's just unbelievable that that's the attitude that people have. They could be getting help that already exists out of the HOPE Program, but they don't do it because

they don't want to pay the money back, and they don't want to share the increase in value with the Federal Government, which is underwriting their mortgage, if they ever sell the home.

Again, I think they're living in a Never Never Land. They think that they're due this money for free. They've been taught to live in a welfare society. We're continuing the welfare mentality. We're going back to welfare that was done away with when the Republicans took over the Congress in 1995. That is not what the American people want.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, my good friend from North Carolina refers to the President's constant statements five or six times during his joint resolution speech of calling for responsibility and accountability, and what she says is that he never pins it on anybody.

My recollection of his speech was he said, "including me," when he was talking about responsibility and accountability. If that's not pinning it on somebody, I don't know what is.

Mr. Speaker. I am very pleased at this time to yield 3 minutes to the distinguished gentlewoman from Ohio, my colleague and former member of the Rules Committee, Ms. SUTTON.

Ms. SUTTON. Mr. Speaker, on October 3, 2008, Addie Polk, a 90-year-old woman from Akron, Ohio, in my district, shot herself because her home was in foreclosure. Ms. Polk fell behind on her mortgage payments, and could not bear to lose the home that she had lived in for nearly 40 years. Fortunately, Ms. Polk survived and her home was saved, but Ms. Polk is not alone.

Millions of homeowners across the country are finding it more difficult to keep up with their payments. Homeowners are struggling for many reasons. Many, in fact, have lost their jobs. You're right when you say Americans don't want welfare—they want jobs—which is why we passed the recovery act just a couple of weeks ago. Some have lost their homes because of health care costs, another issue that our President and this Congress are set to take action on. Some have lost their homes because they were deceived into signing predatory loans, another issue that we're acting on, and some did get in over their heads when they shouldn't have.

Regardless of the cause, the crisis is real. It is real not only for homeowners like Addie Polk who are losing their homes; it is real for our communities, and it is real for our country. We have an interest and a responsibility to do better in dealing with the challenge.

Today, the House will vote on the Helping Families Save Their Homes Act. The bill provides homeowners with options to refinance into mortgages that they can afford, and it will help countless families stay in their homes. Now, this is not the end. It is

just one step in tackling the housing challenge that we face as a nation.

I urge my colleagues to vote "yes" on this crucial legislation because Americans like Addie Polk and so many others out there deserve more than feeling so desperate as to shoot themselves, after living in a home for almost 40 years, for fear of losing it.

Ms. FOXX. Mr. Speaker, I want to say there is another issue here related to process that, I think, we need to talk about.

Many people say that the American people's eyes glaze over when we talk about the process here and that they don't really care, but I think we showed a couple of weeks ago that they do care and that they're watching and that they're paying close attention to what's going on in Congress, because the American people believe in fair play, and they believe that we should play by the rules.

So often, Congress passes bills and exempts itself. It often passes rules, and the majority exempts itself. One of the ways that Congress is exempting itself or that the majority is exempting itself right now on this bill, on this rule, is with something they call PAYGO. Now, the majority party 2 years ago made a big splash and got a lot of great publicity, saying, "Everything is going to be pay as you go." It's abbreviated PAYGO. "We're not going to do any more spending unless we cut spending somewhere else. We want to be diligent."

They criticized Republicans for years on the deficit. They criticized Republicans for spending too much money. They were going to show that they were different. Yet what have they done every time they've gotten a major bill they've wanted to pass? They've just waived the PAYGO rules. It's real simple, and it usually doesn't get a lot of publicity because they got all that great publicity for saying that they weren't going to do that, but that's what's happening here, ladies and gentlemen. The PAYGO rules have been waived on this bill.

They don't want to show the American people how again they're abusing their own rules, how they're being unfair to the American people because they're saying one thing and they're doing another. They say, We want to bring down the deficit. We want to curtail spending. What they're actually doing, as I said earlier, is bringing back the old welfare system. We saw that with the stimulus bill. We saw it with the appropriations bill. It's back to the old style of welfare. We don't have to ask people to work to draw welfare payments. No. Let's just get rid of that. Let's extend the payments. Let's increase the payments. Let's put more people on welfare. That's exactly what this bill does. We're simply going to be increasing welfare.

The way they do that is to say, By passing this bill, we don't have to show how we're not increasing the deficit, so we'll just waive that rule, and nobody

is going to notice it. Well, I think the American people are noticing that. I think they are paying attention.

Again, the majority of the American people who are paying their mortgages, who are playing by the rules, who are going to work every day, and who are doing their jobs are getting sick and tired of the increase in the welfare system again. Here you go. The Democrats have been in charge of the Congress for a little over 2 years, and what do we see but a massive increase in welfare.

I appreciate my colleague talking about the President saying he was going to be responsible, that he was going to be held accountable, but you know, we've not seen anything written into legislation so far. I've asked about that. Again, I appreciate very much Chairman CONYERS putting a little piece in this bill about accountability. I think that was good.

We're going to look at bankruptcy judges, see if they're abusing their power, make sure we have some idea of what they're going to be doing. We give them 2 years to make that report—it's plenty of time—but I have great concern over the fact that the majority party has waived the PAYGO rules on this bill. That's a part of what they're doing, and I think the American people are concerned about that, too.

Mr. Speaker, I reserve the balance of my time.

□ 1100

Mr. HASTINGS of Florida. Mr. Speaker, may I inquire, please, as to the amount of time remaining on each side?

The SPEAKER pro tempore. The gentleman from Florida has 14 minutes, and the gentlelady from North Carolina has 7½ minutes.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 2 minutes to the distinguished gentlewoman from Florida, my fellow Floridian and classmate, my good friend, Ms. BROWN.

(Ms. CORRINE BROWN of Florida asked and was given permission to revise and extend her remarks.)

Ms. CORRINE BROWN of Florida. Thank you for giving me the opportunity to speak on this rule.

Mr. Speaker, I rise in support of this bill but with some reservations because I know that it's not a perfect bill, but it's a perfect beginning. I also have held numerous meetings in my district concerning foreclosure, and, you know, we need to assist people to avoid the foreclosure process.

We have over 1,000 foreclosures a month in my district of Florida, and we need to include legal aid and other community organizations like Wealth Watchers and those that are helping families to avoid losing their homes in foreclosure.

Mr. HASTINGS, I have a question that I want to ask.

As we move forward, is there a possibility that we can work to include additional assistance for families so that

they can avoid foreclosure? Some of the Members are telling people the problem is they're not getting good legal representation, and I think this is something that's missing in the bill. And what can we do to make sure when this bill leaves the House and the Senate and it goes to conference, that we can include additional assistance for families so they can avoid bankruptcy because there is a stigma attached to bankruptcy, and the banks don't have this stigma. And I am just concerned that people will have this stigma.

What can we do to assist these families?

Mr. HASTINGS of Florida. If the gentlelady will yield.

I'm not in a position to speak for the Judiciary Committee, but the distinguished Chair of the Judiciary Committee obviously will be one of the conferees, and if such an opportunity exists, then I would urge the gentlelady to speak with he and the Chair of Financial Services.

I think the gentlelady brings up an outstanding point that's true throughout the Nation where people are in need of appropriate legal representation.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. HASTINGS of Florida. Mr. Speaker, I yield an additional 1 minute.

Ms. CORRINE BROWN of Florida. I met with the credit unions who have been working very hard and doing a real good job, but they are not included. They can't get any of the TARP money, so they are limited with their amount of participation. We are having a hard time getting banks to get them to do what we intended them to do.

What is the possibility that we can also discuss how we can include credit unions in getting additional resources to help our constituents?

Mr. HASTINGS of Florida. If the gentlelady would yield.

I'd have you to know that this won't be the last vehicle in straightening out financial services.

But you cite to the credit unions correctly. I, too, have had meetings with them. They're very concerned about the cramdown provisions allowing that it may very well cause increases, and they have been extremely responsible in our respective communities.

Ms. CORRINE BROWN of Florida. Thank you very much for the time, and I hope we can work to perfect this bill.

Ms. FOXX. Mr. Speaker, I reserve my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to the distinguished gentlewoman from California (Ms. ZOE LOFGREN), a member of the Judiciary Committee who has worked tirelessly in producing this particular document along with Chairman CONYERS and Chairman FRANK and other members of their respective committees.

Ms. ZOE LOFGREN of California. Mr. Speaker, we are facing a crisis of his-

toric proportions in the housing market. Every 13 seconds, a new house in America goes into foreclosure. What this has caused is a dramatic decline in the value of housing all over the United States. For example, in Contra Costa County, across the bay from my home, housing values in one year have declined 53 percent. So those values, the collapsing housing market, is something we need to interrupt. This bill is part of that effort to interrupt the collapse of the housing markets by doing something that we should have done long ago to restore fairness to the bankruptcy system.

Now, bankruptcy has been part of the Constitution since the very beginning of the United States, and what it allows is for people who are insolvent, who cannot pay their bills, to go into bankruptcy court and reorganize. The unfortunate thing is—and the unfair thing—is that people who are bankrupt, who are insolvent, who are in bankruptcy court, can get reorganization for their yacht, for their investment property, for their vacation homes, for their cars, for their credit cards, for their jet airplane, but not for the mortgage on their principal residence. That's not fair. That's not reasonable.

This bill changes that. And in doing so, it restores some fairness to the chapter 13 process.

The voluntary modification system has not worked so well. According to Business Week last week, only 35 percent of the voluntary modifications have actually resulted in lower monthly payments. In fact, in 47 percent of the cases, they've resulted in increased mortgage payments. So it's small wonder that most of those voluntary reorganizations end up with a re-default in 6 months.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. HASTINGS of Florida. Mr. Speaker, I yield the gentlelady an additional 1 minute.

Ms. ZOE LOFGREN of California. I would just like to note not anyone can go into bankruptcy court. You have to be insolvent. We made it very tough in 2005 to get in there. But we do believe that banks and lenders will come to the table with the stick that homeowners could, in fact, go into the bankruptcy court for relief.

It's important to note what this is not. This won't cost the taxpayers one dime. This is about lenders eating part of the cost for the collapse of the housing market. It's not a bailout from the taxpayers. It makes lenders take some responsibility for what has happened. I think it's about time that the banks stood up to their own responsibility and participated in part of this solution, which they have not done to date.

This bill has been narrowed. It's only for retroactive loans. We've made many other adjustments, but it's sound policy. It's something we should do as soon as possible. It's going to help millions of people, and it's going to help

stop the collapse of the housing market and the collapse of prices.

Ms. FOXX. Mr. Speaker, could I inquire of the gentleman from Florida if he has any more speakers?

Mr. HASTINGS of Florida. I do have one more speaker, and I will be prepared to close.

Ms. FOXX. Mr. Speaker, I will reserve the balance of my time.

Mr. HASTINGS of Florida. At this time, Mr. Speaker, I am very pleased to yield 2 minutes to my good friend, the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of this rule and in strong support of the underlying bill.

Mr. Speaker, we are not going to fix our economy until we fix the problem in the housing market, which currently has risen to the level of a national crisis. In my home State of Rhode Island, we've been deeply affected by the downturn in the housing market. Our foreclosure rate last year was ranked 10th worst in the Nation, according to the Mortgage Bankers Association. And to make matters worse, we currently have the second highest unemployment rate in the country at 10 percent.

A lack of action on the housing issue is going to lead to even more dire consequences.

Now, in order for the economy to recover, it's evident that action must be taken to prevent foreclosures, help more families preserve home ownership and stabilize home prices. H.R. 1106, the Helping Families Save Their Homes Act, provides the resources that homeowners and lenders will need to guide them through this crisis.

We also must ensure that the appropriate measures are in place to prevent this kind of crisis from ever happening again. This bill goes a long way towards fixing our housing programs.

And I want to thank our colleagues, especially Chairman CONYERS and Chairman FRANK, for their outstanding and tireless efforts on this measure.

Ms. FOXX. Mr. Speaker, you know, we hear all this talk about bipartisanship. Bipartisanship to the other side, to the majority party, means do it my way. That's what bipartisanship means to them. Bipartisanship to us means how about we have a discussion? How about we bring up some amendments and have some votes on them? If you're so sure that your position is right, bring those amendments up for a vote. Let's see what kind of votes they're going to get. No. They won't even allow amendments to be voted on. That's not bipartisanship.

We had 20 amendments offered for this bill. Only one was accepted. That's not bipartisanship. Bipartisanship would be, again, bringing up lots of Republican amendments. Let them be voted on. Again, people who are sure of their position aren't afraid of having votes on alternative points of view.

Again, the American people are watching us. They're watching this Congress, and we know the Congress is putting off some tough votes they don't want to deal with right now because they know the American people are watching. And you know, that's one of the best things that I think has come out of last year's election and, perhaps, the economic uncertainty.

People are suffering. Republicans are concerned about that. We want to do everything we can to help those people who are suffering. But what this Congress has done so far hasn't helped those people who are suffering. It hasn't helped the people who are working and lost their jobs through no fault of their own.

We want bipartisanship, but it should be true bipartisanship. It's not "do it our way or do it not at all."

You know, I respect my colleague from California who just spoke and said that this bill doesn't cost taxpayers anything; it only costs the lenders. Well, who are the lenders? They're banks that are owned by stockholders. Those, the last time I looked, were taxpayers. They're the real taxpayers. That, again, is part of the out-of-this-world mentality that the people on the other side of the aisle have. It doesn't cost anybody.

I had people in my office and they said, "Oh, this bill doesn't cost anything." I said, "Pardon me? You mean they're going to cram down the mortgages, they're going to reduce the amount of the mortgages? Who's going to pay the difference between the original amount and the cramdown amount?"

"Oh, those are the bankers. But it just means they won't be as rich as they were before."

That's not the way this country operates. "Cramdown" is the right name for the people talking about part of this legislation. That's exactly what it is. And what are we doing here?

You know, the New York Post—not exactly known as the most conservative newspaper in the world—calls it the Foreclosure Five. What we are doing is we are bailing out people in five States. And is it any surprise that those five States are California, Nevada, Arizona, Florida, and Michigan? Where is the leadership in the majority party? California and Nevada. Is it surprising?

This is just more earmark legislation, ladies and gentlemen. More earmarks. We're bailing out these five States.

This is not a crisis of a national proportion. This is a personal matter, not a national crisis.

Falling home prices are not the problem. Home prices went up tremendously for several years. Everybody knew that was going to have to come to a halt. Again, people living in this world knew that. People who had a real-world mentality understood that. But if you're living in Never Never Land, if you're living on the welfare

mentality, then you assume you can behave any way you want to and somebody is going to bail you out. And that's what this legislation does.

□ 1115

Lots of newspaper articles and magazines have said, "What this plan is doing is undercutting the banking and private sectors, and hurt many honest, hardworking people." That's a commentary from the Street. Over and over and over again we hear, "we're subsidizing bad behavior," an article in the National Review. And that's exactly what this legislation does, it subsidizes bad behavior.

This is a sham. It is hurting average Americans who pay their bills, who do their work. You know, I think that the majority party has an addiction to spending other people's money, and that's what this does. Again, saying it doesn't cost the taxpayers anything is ridiculous. It's going to cost the taxpayers a lot of money, both directly and indirectly. And I want to say that this is a bad bill, it's a bad rule, and I want to urge my colleagues to vote "no."

Mr. Speaker, I yield back the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance of the time.

This is a good rule for a critically important bill that addresses our current housing market crisis.

My friend from North Carolina speaks of the leadership of this committee being from California and Nevada, the Democratic majority. It is true that Speaker PELOSI is from California and it is true that Senator HARRY REID is from Nevada, but they are two people. There are other people in the leadership in the majority, Senator DURBIN from Illinois, Mr. CLYBURN from South Carolina, Mr. LARSON from Connecticut, the distinguished majority leader, STENY HOYER, from Maryland.

What we are talking about here is a universal problem insofar as this country is concerned. And I'm just back from an anti-Semitism conference in England, where I read, very actively, regarding their home crisis in the United Kingdom. We are also experiencing a whole global set of circumstances.

Mr. Speaker, in today's Daily Summary, the quote is made from the majority whip's office that Confucius said, "The strength of a nation is derived from the integrity of its homes." I can think—and I'm sure every Member here can think—of all of our families through the years that among the things that they wanted was an opportunity to have a home. When my good friend from North Carolina speaks about returning to welfare, I didn't, when I was a boy, think that it was welfare after the Second World War when the Federal Home Administration, old FHA, and the Veterans Administration built a monument to mid-

dle class homes in this country, many of them still standing, many of them giving the foundation, a safe and inhabitable environment for people to raise their children as a result of those particular programs, followed by their successor, the Housing and Urban Development Department. I, as a young lawyer, participated in a variety of methods that gave low and moderate income families an opportunity to have a safe and inhabitable environment under programs such as 221D-3, 221H, a variety of programs rehabilitating properties, building homes for seniors, and giving everybody a chance.

I would like to add an anecdote. The value of my home in my neighborhood in Miramar, Florida, has decreased substantially. Other Members in this body are experiencing the same thing. I have paid my mortgage for 11 years every month on time. If my home value decreases another 6 percent, I will have an upside down or underwater mortgage, having done nothing but the right thing. But there are seven of my neighbors that I know of that are in foreclosure. And fortunately our homeowners association is mindful of the need that we have to work together.

This is a collective thrust, this piece of legislation. This is something to help us all. That's what Americans do. It is not a giveaway. It is not welfare when I look out for my neighbors and they look out for me, it is the potential to lay the foundation for us to get out of a crisis that is in an enormous one for this entire Nation.

Nearly 6 million households in America face foreclosure. My State of Florida has the second highest foreclosure rate after California. It's just plain old common sense for Congress to pass a bill that will help working families who have played by the rules and acted responsibly to stay in their homes and to continue to pay off their mortgages. We can't run away from this crisis. We must rebuild. And we must help those in need.

Neighborhoods in the district that I'm privileged to represent, as well as around this Nation, are struggling, homes are being foreclosed, and we have an opportunity to mitigate the destructive impact of those foreclosures on families and communities. I urge my colleagues to vote in favor of this rule so that we may support a bill that will give millions of Americans the opportunity to stay in their homes and not be forced out on the streets.

In defense of some of the services, in my district, Ocwen Financial Services has been doing loan modifications on their own, and their return rate for foreclosures is substantially less than the norm. There just are some good ones out there. The credit unions and the community banks have been doing responsible lending. They did not take advantage of people who may not have known what they were doing or who should have known and took advantage of the system to buy homes that they should not have bought. It's just that simple.

Mr. Speaker, I urge a “yes” vote on the previous question and on the rule. And I beg of us all to understand the critical need that we have to work together in this country, Democrats and Republicans, liberals and conservatives. Everybody in this Nation must face this problem. And, yes, we must act responsibly; and yes, we must act with accountability. And that’s what this measure, as authored by the distinguished Chair of the Judiciary Committee and the distinguished Chair of the Financial Services Committee, working in conjunction with their colleagues—I might add in a bipartisan way. There are few people here that have had as many markups as they had in Judiciary and Financial Services. And when they come before the Rules Committee, all I hear of them is the fairness of Congressman CONYERS and the fairness of Congressman FRANK. So to say that these measures are not bipartisan or that others are not being listened to is just absolutely wrong.

Let us pass this measure.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. FOXX. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adopting the resolution.

The vote was taken by electronic device, and there were—yeas 238, nays 183, not voting 10, as follows:

[Roll No. 88]

YEAS—238

Abercrombie	Cohen	Fudge
Ackerman	Connolly (VA)	Giffords
Adler (NJ)	Conyers	Gonzalez
Andrews	Cooper	Gordon (TN)
Arcuri	Costa	Grayson
Baca	Costello	Green, Al
Baird	Courtney	Green, Gene
Baldwin	Crowley	Griffith
Bean	Cuellar	Grijalva
Becerra	Cummings	Gutierrez
Berkley	Dahlkemper	Hall (NY)
Berman	Davis (AL)	Halvorson
Bishop (GA)	Davis (CA)	Hare
Bishop (NY)	Davis (IL)	Harman
Blumenauer	Davis (TN)	Hastings (FL)
Boccieri	DeFazio	Heinrich
Boren	DeGette	Herseth Sandlin
Boswell	Delahunt	Higgins
Boyd	DeLauro	Himes
Brady (PA)	Dicks	Hinche
Braley (IA)	Dingell	Hinojosa
Bright	Doggett	Hirono
Brown, Corrine	Doyle	Hodes
Butterfield	Driehaus	Holden
Capps	Edwards (MD)	Holt
Capuano	Edwards (TX)	Honda
Cardoza	Ellison	Hoyer
Carnahan	Ellsworth	Inslee
Carney	Engel	Israel
Carson (IN)	Eshoo	Jackson (IL)
Castor (FL)	Etheridge	Jackson-Lee
Chandler	Farr	(TX)
Clarke	Fattah	Johnson (GA)
Clay	Filner	Johnson, E. B.
Cleaver	Foster	Kagen
Clyburn	Frank (MA)	Kanjorski

Kennedy	Mollohan	Scott (GA)
Kildee	Moore (KS)	Scott (VA)
Kilpatrick (MI)	Moore (WI)	Serrano
Kilroy	Moran (VA)	Sestak
Kind	Murphy (CT)	Shea-Porter
Kirkpatrick (AZ)	Murphy, Patrick	Sherman
Kissell	Murtha	Shuler
Klein (FL)	Nadler (NY)	Sires
Kosmas	Napolitano	Skelton
Kratovil	Neal (MA)	Slaughter
Kucinich	Oberstar	Smith (WA)
Langevin	Obey	Snyder
Larsen (WA)	Oliver	Space
Larson (CT)	Ortiz	Speier
Lee (CA)	Pallone	Spratt
Levin	Pascarella	Stupak
Lewis (GA)	Pastor (AZ)	Sutton
Lipinski	Payne	Tanner
Loeback	Perlmutter	Tauscher
Lofgren, Zoe	Peters	Thompson (CA)
Lowey	Peterson	Thompson (MS)
Lujan	Pingree (ME)	Tierney
Lynch	Polis (CO)	Titus
Maffei	Pomeroy	Tonko
Maloney	Price (NC)	Towns
Markey (CO)	Rahall	Tsongas
Markey (MA)	Rangel	Van Hollen
Marshall	Reyes	Velázquez
Massa	Richardson	Visclosky
Matsui	Rodriguez	Walz
McCarthy (NY)	Rothman (NJ)	Wasserman
McCollum	Roybal-Allard	Schultz
McDermott	Ruppersberger	Waters
McGovern	Rush	Watson
McIntyre	Ryan (OH)	Watt
McMahon	Salazar	Waxman
McNerney	Sánchez, Linda	Weiner
Meek (FL)	T.	Welch
Meeks (NY)	Sanchez, Loretta	Wexler
Melancon	Sarbanes	Wilson (OH)
Michaud	Schakowsky	Woolsey
Miller (NC)	Schauer	Wu
Miller, George	Schiff	Yarmuth
Minnick	Schrader	
Mitchell	Schwartz	

NAYS—183

Aderholt	Dreier	Luetkemeyer
Akin	Duncan	Lummis
Alexander	Ehlers	Lungren, Daniel
Altmire	Emerson	E.
Austria	Fallin	Mack
Bachmann	Flake	Manzullo
Bachus	Fleming	Marchant
Barrett (SC)	Forbes	Matheson
Barrow	Fortenberry	McCarthy (CA)
Bartlett	Fox	McCaul
Barton (TX)	Franks (AZ)	McClintock
Berry	Frelinghuysen	McCotter
Biggett	Gallegly	McHenry
Bilbray	Garrett (NJ)	McHugh
Bilirakis	Gerlach	McKeon
Bishop (UT)	Gingrey (GA)	McMorris
Blackburn	Gohmert	Rodgers
Blunt	Goodlatte	Mica
Boehner	Granger	Miller (FL)
Bonner	Graves	Miller (MI)
Bono Mack	Guthrie	Moran (KS)
Boozman	Hall (TX)	Murphy, Tim
Boustany	Harper	Myrick
Brady (TX)	Hastings (WA)	Neugebauer
Brown (GA)	Heller	Nunes
Brown (SC)	Hensarling	Olson
Brown-Waite,	Herger	Paul
Ginny	Hill	Paulsen
Buchanan	Hoekstra	Petri
Burgess	Hunter	Pitts
Burton (IN)	Inglis	Platts
Buyer	Issa	Poe (TX)
Calvert	Jenkins	Posey
Camp	Johnson (IL)	Price (GA)
Cantor	Johnson, Sam	Putnam
Capito	Jones	Radanovich
Carter	Jordan (OH)	Rehberg
Castle	Kaptur	Reichert
Chaffetz	King (IA)	Roe (TN)
Childers	King (NY)	Rogers (AL)
Coble	Kingston	Rogers (KY)
Coffman (CO)	Kirk	Rogers (MI)
Cole	Lamborn	Rohrabacher
Conaway	Lance	Rooney
Crenshaw	Latham	Ros-Lehtinen
Culberson	LaTourette	Roskam
Davis (KY)	Latta	Ross
Deal (GA)	Lee (NY)	Royce
Dent	Lewis (CA)	Ryan (WI)
Diaz-Balart, L.	Linder	Scalise
Diaz-Balart, M.	LoBiondo	Schmidt
Donnelly (IN)	Lucas	Schock

Sensenbrenner	Stearns	Upton
Sessions	Sullivan	Walden
Shadegg	Taylor	Wamp
Shimkus	Teague	Westmoreland
Shuster	Terry	Whitfield
Simpson	Thompson (PA)	Wilson (SC)
Smith (NE)	Thornberry	Wittman
Smith (NJ)	Tiahrt	Wolf
Smith (TX)	Tiberi	Young (AK)
Souder	Turner	Young (FL)

NOT VOTING—10

Boucher	Kline (MN)	Perriello
Campbell	Miller, Gary	Stark
Cao	Nye	
Cassidy	Pence	

□ 1152

Mr. MCHUGH changed his vote from “yea” to “nay.”

Mr. KISSELL changed his vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

(By unanimous consent, Mr. HOYER was allowed to speak out of order.)

HONORING GAY TOPPER

Mr. HOYER. Mr. Speaker, just 2 days ago—and I know one of the Members said can we do this after votes—but some people, like Mike Sheehy we talked about the other day, have put in extraordinary weeks and months and years serving this institution and every one of us. They make this institution run in a way that accommodates not only the contention but the compromise and the action. They do so as well with a spirit that makes this a better place in which to work. As surely as each of us who are elected, they serve our country and serve it well.

I have particular honor to rise on behalf of all of us, not just the majority party. I will yield to my friend, the minority leader, the Republican leader in just a minute, but I am particularly pleased to rise because this particular person lives in my district. I’ve known her for a long period of time.

She has served the House of Representatives for 32 years. She must have started at 9 or 10 years of age, I think. She is the retiring clerk to the Parliamentarian. She will retire tomorrow. It will be her last day. All of you have seen her, if you don’t know her. If you’ve seen her and talked to her, you know that she is a warm and gracious person who greets all of us of whatever party, whether we’re first-year Members or, in my case, a 29th-year Member.

She will be retiring tomorrow. She lives in Upper Marlboro, and she graduated from Frederick Douglass High School, which is in my county and the county represented by my colleagues DONNA EDWARDS and CHRIS VAN HOLLEN.

She started working in the House of Representatives in 1977 as an official reporter where she worked until 1986. She began working for the Office of the Parliamentarian in 1987 and has worked there for 22 years.

The Office of the Parliamentarian is an absolutely critical office, non-partisan, knowledgeable, focused on assuring that the business of the American people is done in a way that reflects fairness and reflects well on the

House as an institution. And each and every one of those who work with our Parliamentarian, John Sullivan, make it a better service organization, not just for the House of Representatives but, as I said, for the American people.

Before I close, I want to yield to my friend, the Republican leader, JOHN BOEHNER of Ohio.

Mr. BOEHNER. Let me thank my colleague for yielding, and, Gay, congratulations and thank you for 32 years of service to the House. We, as Members, are fortunate to have a lot of professionals who help us do our job and help our country do the job that they sent us here to do, and whether they work in the Parliamentarian's office like Gay, whether they work here on the floor, in committees or in our personal staffs, we're very fortunate to have people such as yourself help us do the job the American people sent us here to do.

And I just wanted to rise today and say thank you. Thank you for 32 years. God bless your soul for putting up with all of us for 32 years, but we're glad you did.

Thank you.

Mr. HOYER. I now want to yield to a Member, senior to me, very good friend from Michigan who has served this institution so well, Congressman KILDEE.

Mr. KILDEE. I thank the gentleman for yielding.

My tenure here started about the same time as Gay Topper's tenure, and you know, through those years I never knew what party she belonged to. I do know that she was a great American and a great human being, and those of us who had the opportunity of coming in contact with her became better people because of her professionalism, her kindness, her gentleness, her knowledge, not just to the Members but to the pages.

The two pages sitting right there, when my son, one summer, sat there as documentarian, he would come home at night and talk about how kindly, how friendly Gay was to the pages. That's very important. That kindness means so much in this House. It helps sometimes take off those sharp edges, and she has done that.

This House is a better House because of Gay Topper, and I can say personally, Mr. Speaker, that I'm a better person because of Gay Topper.

Thank you very much. God bless you, Gay.

Mr. HOYER. I yield to my friend.

Mr. LATOURETTE. I thank the majority leader for yielding.

I just wanted to add on our side, in happier times—and I know you won't agree with me, but I define happier times as when the Republicans were in the majority—a number of us had the opportunity to spend very long evenings in the chair as the Speaker's representative, during the appropriations process in particular.

I know it won't come as a surprise to Members, but when you've heard that 50th speech on the National Endow-

ment for the Arts or the 40th observation about whether or not an IUD is an abortifacient, you have some time on your hands when you're in the chair and you get to know people. And one of the people that you get to know is Gay Topper. Professionalism is right. And I tell Mr. KILDEE, I found out she was a Democrat after about 10 years of being up there.

□ 1200

But you get to know people. You get to know people, and you also get to know the professionalism.

A lot of us think on each side somehow the Chair is rigged up there. Well, it is not rigged. I can remember a debate one evening when a Member, I won't name the Member, said, "Hey, I want you to give me a minute like you just gave that Republican." And I turned to Gay and I said, "Give the gentlelady the same minute you gave the Republican," and she did.

Gay, we are going to be a poorer institution without you, and I want to thank you on behalf of us during those happier times for your service.

Mr. HOYER. Thank you, Mr. LATOURETTE.

Mr. Speaker, I will close on behalf of the Speaker and myself; and I know that the Speaker, on behalf of all the House, irrespective of party, Gay, wants to thank you for the service you have given to us, the friend you have been to us, the fairness you have displayed throughout 32 years of your career, and wish you Godspeed.

Thank you very much.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. FOXX. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 224, nays 198, not voting 9, as follows:

[Roll No. 89]

YEAS—224

Abercrombie	Brown, Corrine	Crowley
Ackerman	Butterfield	Cuellar
Adler (NJ)	Capps	Cummings
Andrews	Capuano	Dahlkemper
Arcuri	Cardoza	Davis (AL)
Baca	Carnahan	Davis (CA)
Baird	Carney	Davis (IL)
Baldwin	Carson (IN)	Davis (TN)
Bean	Castor (FL)	DeFazio
Becerra	Clarke	DeGette
Berkley	Clay	Delahunt
Berman	Cleaver	DeLauro
Bishop (GA)	Clyburn	Dicks
Bishop (NY)	Cohen	Dingell
Blumenauer	Connolly (VA)	Doggett
Bocieri	Conyers	Doyle
Boren	Cooper	Driehaus
Boyd	Costa	Edwards (MD)
Brady (PA)	Costello	Edwards (TX)
Braley (IA)	Courtney	Ellison

Engel	Lipinski
Eshoo	Loeb
Etheridge	Loeb
Farr	Lofgren, Zoe
Fattah	Lowey
Filner	Lujan
Foster	Lynch
Frank (MA)	Maffei
Fudge	Maloney
Gonzalez	Markey (CO)
Gordon (TN)	Markey (MA)
Grayson	Marshall
Green, Al	Matsui
Green, Gene	McCarthy (NY)
Griffith	McCollum
Grijalva	McDermott
Gutierrez	McGovern
Hall (NY)	McIntyre
Halvorson	McMahon
Hare	McNerney
Harman	Meek (FL)
Hastings (FL)	Meeks (NY)
Heinrich	Melancon
Herseth Sandlin	Miller (NC)
Higgins	Miller, George
Himes	Mitchell
Hinchey	Mollohan
Hinojosa	Moore (KS)
Hirono	Moore (WI)
Hodes	Moran (VA)
Holden	Murphy (CT)
Holt	Murphy, Patrick
Honda	Murtha
Hoyer	Nadler (NY)
Inslee	Napolitano
Israel	Neal (MA)
Jackson (IL)	Nye
Jackson-Lee	Oberstar
(TX)	Obey
Johnson (GA)	Oliver
Johnson, E. B.	Ortiz
Kagen	Pallone
Kanjorski	Pascarella
Kennedy	Pastor (AZ)
Kildee	Payne
Kilpatrick (MI)	Perlmutter
Kilroy	Peters
Kind	Pingree (ME)
Kissell	Polis (CO)
Klein (FL)	Pomeroy
Langevin	Price (NC)
Larsen (WA)	Rahall
Larson (CT)	Rangel
Lee (CA)	Reyes
Levin	Richardson
Lewis (GA)	Rodriguez
	Rothman (NJ)

NAYS—198

Aderholt	Chandler	Hensarling
Akin	Childers	Herger
Alexander	Coble	Hill
Altmire	Coffman (CO)	Hoekstra
Austria	Cole	Hunter
Bachmann	Conaway	Inglis
Bachus	Crenshaw	Issa
Barrett (SC)	Culberson	Jenkins
Barrow	Davis (KY)	Johnson (IL)
Bartlett	Deal (GA)	Johnson, Sam
Barton (TX)	Dent	Jones
Berry	Diaz-Balart, L.	Jordan (OH)
Biggart	Diaz-Balart, M.	Kaptur
Bilbray	Donnelly (IN)	King (NY)
Bilirakis	Dreier	Kingston
Bishop (UT)	Duncan	Kirk
Blackburn	Ehlers	Kirkpatrick (AZ)
Blunt	Ellsworth	Kosmas
Boehner	Emerson	Kratovil
Bonner	Fallin	Kucinich
Bono Mack	Flake	Lamborn
Boozman	Fleming	Lance
Boswell	Forbes	Latham
Boustany	Fortenberry	LaTourette
Brady (TX)	Fox	Latta
Bright	Franks (AZ)	Lee (NY)
Broun (GA)	Frelinghuysen	Lewis (CA)
Brown (SC)	Galleghy	Linder
Brown-Waite,	Garrett (NJ)	LoBiondo
Ginny	Gerlach	Lucas
Buchanan	Giffords	Luetkemeyer
Burgess	Gingrey (GA)	Lummis
Burton (IN)	Gohmert	Lungren, Daniel
Buyer	Goodlatte	E.
Calvert	Granger	Mack
Camp	Graves	Manzullo
Cantor	Guthrie	Marchant
Capito	Hall (TX)	Massa
Carter	Harper	Matheson
Castle	Hastings (WA)	McCarthy (CA)
Chaffetz	Heller	McCaul

McClintock	Posey	Shuster
McCotter	Price (GA)	Simpson
McHenry	Putnam	Smith (NE)
McHugh	Radanovich	Smith (NJ)
McKeon	Rehberg	Smith (TX)
McMorris	Reichert	Souder
Rodgers	Roe (TN)	Stearns
Mica	Rogers (AL)	Sullivan
Michaud	Rogers (KY)	Taylor
Miller (FL)	Rogers (MI)	Teague
Miller (MI)	Rohrabacher	Terry
Minnick	Rooney	Thompson (PA)
Moran (KS)	Ros-Lehtinen	Thornberry
Murphy, Tim	Roskam	Tiahrt
Myrick	Ross	Tiberi
Neugebauer	Royce	Turner
Nunes	Ryan (WI)	Upton
Olson	Scalise	Walden
Paul	Schmidt	Wamp
Paulsen	Schock	Westmoreland
Pence	Schrader	Whitfield
Peterson	Sensenbrenner	Wilson (SC)
Petri	Sessions	Wittman
Pitts	Shadegg	Wolf
Platts	Shimkus	Young (AK)
Poe (TX)	Shuler	Young (FL)

NOT VOTING—9

Boucher	Cassidy	Miller, Gary
Campbell	King (IA)	Perriello
Cao	Kline (MN)	Stark

□ 1213

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

GENERAL LEAVE

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 1106.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

HELPING FAMILIES SAVE THEIR HOMES ACT OF 2009

The SPEAKER pro tempore. Pursuant to House Resolution 190 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1106.

□ 1215

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1106) to prevent mortgage foreclosures and enhance mortgage credit availability, with Mr. SERRANO in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall not exceed 1 hour equally divided and controlled by the chairman and ranking minority member of the Committee on Financial

Services and the chairman and ranking minority member of the Committee on the Judiciary.

The gentleman from Massachusetts (Mr. FRANK), the gentleman from Alabama (Mr. BACHUS), the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. SMITH) each will control 15 minutes.

The Chair recognizes the gentleman from Michigan.

(Mr. CONYERS asked and was given permission to revise and extend his remarks.)

Mr. CONYERS. Mr. Chairman, I yield myself as much time as I may consume.

Members of the House, this very important legislation would limit an anomaly in the Bankruptcy Code which prohibits judicial modifications of principal residences, even though every other class of asset, from second homes to yachts, airplanes, investment properties, family farm, hotels, and even office buildings, is eligible for such treatment. I believe that this proposal represents a critical step that we can take to not only protect hardworking and honest Americans struggling to keep their homes in the midst of a once in a lifetime economic calamity, but to limit the downward cycle of foreclosures that are now damaging our neighborhoods, while, at the same time, protecting financial intermediaries and ensuring that judicial modification is considered only after every reasonable effort has been taken to achieve voluntary modification outside of the bankruptcy.

Mr. Chairman, on that note, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, our country has fallen into a serious economic recession, a recession that is worsened by the foreclosure crisis. Until we address the rising number of foreclosures, it will be difficult for the economy to recover.

But some of what is in this bill we consider today will be helpful. Providing loan servicers a safe harbor from the threat of litigation if they offer borrowers meaningful loan modification will, in fact, help blunt the crisis.

But the bill also includes many counterproductive components, especially the bankruptcy provision. This bankruptcy provision not only will fail to solve the foreclosure crisis, but also will make the crisis deeper, longer and wider.

Allowing bankruptcy judges to rewrite mortgages will increase the overall cost of lending. Lenders and investors will hesitate to put up capital in the future if they fear that judges will rewrite the terms of their mortgage contracts. Less available capital and increased risk means that borrowers will pay higher interest rates in the future.

Allowing bankruptcy judges to rewrite mortgages will also encourage borrowers to file for bankruptcy. Under

this bill, a borrower will be able to reduce, for example, a \$500,000 mortgage to \$400,000. When housing prices rise in the future, that borrower has no obligation to pay back the \$100,000 amount they crammed down. Thus, the borrower receives a \$100,000 windfall. And experts predict that receiving this windfall will provide an incentive for borrowers to file for bankruptcy.

If bankruptcy filings increase as a result of this legislation, which is predicted, it is unlikely that the country's only 368 bankruptcy judges could handle the additional caseload in an effective manner. This will prolong the crisis as borrowers wait for their bankruptcy plan to be court-approved.

In fact, even Senator DURBIN, the primary sponsor of this legislation in the Senate, has stated that he is "willing to restrict" this legislation to subprime mortgages in an effort to make this proposal "reasonable."

So, the legislation we are considering today, and the "Housing Affordability and Stability Plan" announced by the President last Tuesday, really amount to another entitlement program, a program that comes at the expense of the 92 percent of the homeowners who are making their payments on time.

And it is a program that benefits lenders who wrote irresponsible loans and borrowers who borrowed more than they could afford. In other words, this legislation will punish the successful, tax the responsible, and hold no one accountable.

If we pass this legislation, what message does it send to responsible borrowers who are making their payments on time? How can we ask them to foot the bill for their neighbors' mortgages? What are homeowners to think if they pay back the full amount of principal they owe, while others receive a government-granted reduction in principal?

We need to do everything we can to help solve the foreclosure crisis, but we need to do so in a manner that doesn't bankrupt the taxpayers or our financial system and that is, in fact, fair to all.

And as we work to solve the foreclosure crisis, we need to remember how we got here. As the President said in his address to Congress on Tuesday, "It is only by understanding how we arrived at this moment that we'll be able to lift ourselves out of this predicament."

This foreclosure crisis was brought on largely by irresponsible mortgage policies. Those policies were implemented by lenders and supported by government-sponsored entities like Fannie Mae, who were all too willing to put profits ahead of prudence. Their irresponsible behavior was encouraged by Members of Congress and the Clinton administration. Too often borrowers, spurred on by cheap credit and little or nothing as a down payment, borrowed more than they could afford.

The mortgage bankruptcy provisions in this bill are not the answer. Allowing bankruptcy modification of home

mortgages will be costly, generate unintended consequences, and likely delay the resolution of the foreclosure crisis itself.

If we're going to enact this bankruptcy provision, despite all of its flaws, we should at least limit relief to subprime and non-traditional mortgages. We should provide bankruptcy judges with clear guidance on the procedure to follow in modifying the terms of home mortgages, guidance that would make lowering payments to an affordable level the paramount goal of bankruptcy modification. And we should provide much stricter provisions for allowing a lender to recapture any principal that is reduced in bankruptcy if the home is later sold at a profit.

Mr. Chairman, this bill, and the amendments we are going to consider today, provide none of these safeguards.

I urge my colleagues to vote against this bill.

I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I just want my friend on the other side to know that the majority whip of the Senate did not make that statement. It is inaccurate.

I now yield to the distinguished gentlelady from Florida, DEBBIE WASSERMAN SCHULTZ, 2 minutes.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I rise in support of H.R. 1106, the Helping Families Save Their Homes Act.

Mortgage foreclosures lay at the very heart of our financial crisis. Until we stop this bleeding, we cannot hope to stabilize the housing market and truly rescue our economy.

This legislation is about more than just shoring up our economy, it's about helping hardworking Americans hold on to the American Dream. Foreclosures uproot families and decimate communities. Vacant homes blight our neighborhoods and depress all of our property values.

Foreclosure rates are now approaching heights not seen since the Great Depression. In my own home State of Florida, we have the second highest foreclosure rate in the Nation. Since January, more than 4,200 Florida families have lost their homes. Another 1.2 million Florida homeowners are "under water," that is, they owe more than their homes are worth.

Mr. Chairman, my constituents, our constituents need a lifeline, and we must throw it to them. Voluntary modification is just not working, and our current bankruptcy laws fail our families.

Unlike every other secured debt, including debts secured by second homes, investment properties, luxury yachts and private jets, the mortgage for a primary residence cannot be modified in bankruptcy. That is simply not fair.

The Bankruptcy Code should be a safety net of last resort for families in distress. In this recession, excluding the family home makes no sense and fans the flames of foreclosure.

This bill allows families to remain in their homes and avoid foreclosure. It will also lead to a financial recovery for the lender that would be as good or better than they could get at a foreclosure sale. This is a win-win.

I know some well-meaning opponents believe families will rush headlong into filing for bankruptcy. We all know, however, that the grave consequences of filing for bankruptcy means it will always be a last resort.

Thank you, Chairman CONYERS and Chairman FRANK, for your leadership on this issue.

Mr. JORDAN of Ohio. Mr. Chairman, I yield 2 minutes to our distinguished colleague from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, the suggestion has been made that it makes no sense to treat primary residences in the way that the current bankruptcy law does. Well, in fact, Supreme Court Justice Stevens, in the case of *Nobleman v. American Savings Bank*, explained why we have this when he said that, "At first blush it seems somewhat strange the Bankruptcy Code could provide less protection to an individual's interest in retaining possession of his or her home than of other assets. The anomaly, is, however explained by the legislative history indicating that favorable treatment of residential mortgages was intended to encourage the flow of capital into the home lending market."

In other words, it is precisely because we want to promote home ownership that it is treated in this way.

Now, we in the Judiciary Committee believe we can do a lot of things. But one thing we have been unable to do, but we're trying to do it once again is suspend the laws of economics. This suggests that this change will have no impact whatsoever.

The change will have this impact: It will include higher risk premiums on all mortgages in the future because of the uncertainty now involved with respect to all mortgages. That's what's going to happen.

I had a telephone town hall in my district with thousands of people on the line, and one person said to me, how is that fair? How is that fair to me? How is that fair to my children and my grandchildren, when this means this is going to increase the cost of home mortgages in the future across the board and maybe limit the accessibility to home mortgage notice future to those very people we say we're trying to help?

Sometimes it is more than just a sentiment that we have to act on here. It is reality. And unless we can suspend the laws of economics, this provision will actually undo what the bill is intended to do, that is, help people be able to have access to mortgages and help people get lower rates. This is one of the reasons why you have lower rates for home mortgages than you do for second homes.

The CHAIR. The time of the gentleman has expired.

Mr. JORDAN of Ohio. I yield the gentleman an additional minute.

Mr. DANIEL E. LUNGREN of California. And some people have suggested well, look, it's treated differently in all other aspects.

Interestingly enough, if you look at chapter 12, which has to do with agricultural loans, and you see the argument being made that, well, when they made that change there, it had no impact. Interestingly enough, it was during the Clinton administration that their Department of Agriculture concluded that chapter 12 may have substantially increased costs for farm businesses. That's not the Bush administration. That's not a Republican economist. That's the Clinton administration, their Department of Agriculture concluding that this type of a change in the agricultural setting actually substantially increased costs for home businesses.

If you want to substantially increase the cost for home mortgages in the future across the board for all Americans then vote for this provision. Go home and talk about how you felt good about it. But don't tell folks what it's really going to do. It's going to hurt everybody in terms of their accessibility to home mortgages.

□ 1230

Mr. CONYERS. Mr. Chairman, I yield myself 15 seconds to merely apprise my dear friend from California and distinguished member of the Judiciary that Mark Zandi, the GOP adviser to JOHN MCCAIN, said, "The total cost of foreclosures to lenders is much greater than that associated with a chapter 13 bankruptcy."

The CHAIR. The time of the gentleman has expired.

Mr. CONYERS. Mr. Chairman, I yield myself 15 more seconds.

There is no reason to believe that the cost of mortgage credit across all mortgage loan products should rise. That's a Republican economist.

I now yield 2 minutes to my good friend from Massachusetts, WILLIAM DELAHUNT, himself a distinguished member of the Attorney General's office in Massachusetts.

Mr. DELAHUNT. Mr. Chairman, last year in the United States, over 2 million homes went into foreclosure, and the rate of mortgage defaults is now accelerating. If we don't act soon, today, then our entire economy is at risk. That's how we got here to begin with.

What I find particularly disturbing is that the people who got us into this mess oppose the bill. They'd prefer to have the taxpayers cover their losses and have them continue to bail them out.

Of the most recent issue of *BusinessWeek*, not a Democratic publication, by the way, this is what it says on the cover: "Home Wreckers: How the Banks Are Making the Foreclosure Crisis Worse."

Here is their take on this issue of this kind of legislation. I'm reading:

"The bad mortgages that started the current financial crisis have produced a terrifying wave of home foreclosures. Unless this surge eases, even the most extravagant Federal stimulus spending won't spur economic recovery . . . One reason foreclosures are so rampant is that banks and their advocates in Washington have delayed, diluted and obstructed attempts (like this) to address the problem."

So, if we want to have taxpayers keep bailing out the banks with no end in sight, that's one option or we can compel the banks to sit down with debtors and mitigate the losses, which would benefit the consumer, the lender in the end and the investors.

Mr. JORDAN of Ohio. Mr. Chairman, I would yield 2 minutes to my friend and colleague from Texas, Congressman GOHMERT.

Mr. GOHMERT. Mr. Chairman, I'm sure most people have heard about the guy who kept beating himself in the head with a hammer, and when people said, Why are you doing that? he said, Because it feels so good when I stop.

The trouble is we keep beating the same people who are footing the bill for everything. Now, I know this bill is well-intentioned. I know the hearts of those who are pushing this, but the trouble is there's a big difference between the investment banks that have squandered money and have gotten us into big trouble and the community banks that have been making good loans.

The trouble is, once you allow a bankruptcy judge not only to do what they can do now with mortgages—change the rate, change the terms—but to actually bring down the principal to whatever the bankruptcy judge feels like, then banks—these good, solid community banks—will be in jeopardy, and they will only be able to give loans to those who can prove for sure they will not ever file for bankruptcy. You're going to put in jeopardy the bottom lines of the people who've actually been responsible and who've had good banks and have done the right things.

The bottom line is the people whom we've saddled with so much debt in just the last few months—the young people, the young couples who are trying to make it and who are hoping for a home loan—are not only going to be cussing our names 30 years from now for the debt we've put them in, but when they go to the bank after this passes, they won't get a home loan because we've been irresponsible in trying to help but not looking at the ramifications of what we're doing.

This adds to the hundreds of billions we've already spent, and now we're going to hurt the very people we need to be relying on to get this economy going. The young people need to be able to get those loans to get homes, and this will ensure they can't go get them, because we've been irresponsible in not thinking about the unforeseen conclusions.

The point is we can foresee them. We know what's going to happen. Talk to your community banks. Don't hurt them. Don't hurt the young, working people any more than we already have. Give them a break. Do the right thing. Don't cram this down on America and our young people.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Houston, Texas, SHEILA JACKSON-LEE.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Wait a minute. Can we get a little history lesson here? Does anybody remember the \$700 billion that we gifted to the banks? When they were on their knees, they took Federal money. Many of us voted against it because we wanted to know what was going to happen to the American public.

Why is my friend talking about the young people who were hurting in the administration before us? They hurt more than young people. They told us that we needed \$700 billion of government money to give to the banks. We asked the banks to voluntarily modify the loans. We begged them to do it. We worked with them. We spoke with them. They did not do it.

Today, we vote for the little person, for the individual who has been responsible, who has been working like a constituent in my constituency for 18 years as a cafeteria worker, saving up money, who has got a small bungalow, but it was at an adjustable rate. That's not that lady's fault. She is still working, but she has fallen behind. She will go into court under this bill. She will be able to use the FHA and VA. They will be able to look to voluntarily modify before the court.

The only thing that this does is it allows, after all things have happened, for you to be able to go into the courthouse, stand before a judge and be assessed on your own responsibility. We have a manager's amendment. If there's any profit to be made, it goes back to the lender, to the bank. Mr. Bank and Mrs. Bank, why didn't you do this on your own? We would have preferred you to have done it.

I'm looking forward to introducing legislation where, for people who've been responsible and who go in to redo their mortgages, their issue will not be part of their credit score, of their potential foreclosure, of their back payments, because it is not their fault. We've fallen into a crisis, into an abyss.

So, my friends, I don't know how we can stand on the other side of the aisle talking about the poor little banks. We asked the banks to reorder people's mortgages. People in my district begged for them to do so, but when they called, there was nothing but a 1-800 number.

Support this legislation. It's the little fellow's day today. We want people to save their homes. We're saving America.

Mr. Chairman, I rise in strong support of H.R. 1106, "Helping Families Save Their Homes in Bankruptcy Act of 2009." I would like to thank Chairman CONYERS of the House Judiciary Committee and Chairman BARNEY FRANK of the Financial Services Committee for their leadership on this issue. Mr. Chairman, I urge my colleagues to support this bill because it provides a viable medium for bankruptcy judges to modify the terms of mortgages held by homeowners who have little recourse but to declare bankruptcy.

This bill could not have come at a more timely moment. Just a day after the President's address before the Joint Session of Congress where President Obama outlined his economic plan for America and discussed the current economic situation that this country is facing.

To be sure, there are many economic woes that saddle this country. The statistics are staggering.

Home foreclosures are at an all-time high and they will increase as the recession continues. In 2006, there were 1.2 million foreclosures in the United States, representing an increase of 42 percent over the prior year. During 2007 through 2008, mortgage foreclosures were estimated to result in a whopping \$400 billion worth of defaults and \$100 billion in losses to investors in mortgage securities. This means that one per 62 American households is currently approaching levels not seen since the Depression.

The current economic crisis and the foreclosure blight have affected new home sales and depressed home value generally. New home sales have fallen by about 50 percent. One in six homeowners owes more on a mortgage than the home is worth raising the possibility of default.

Home values have fallen nationwide from an average of 19% from their peak in 2006 and this price plunge has wiped out trillions of dollars in home equity. The tide of foreclosure might become self-perpetuating. The nation could be facing a housing depression—something far worse than a recession.

Obviously, there are substantial societal and economic costs of home foreclosures that adversely impact American families, their neighborhoods, communities and municipalities. A single foreclosure could impose direct costs on local government agencies totaling more than \$34,000.

I am glad that this legislation is finally on the floor of the United States House of Representatives. I have long championed in the first TARP bill that was introduced and signed late last Congress, that language be included to specifically address the issue of mortgage foreclosures. I had asked that \$100 billion be set aside to address that issue. Now, my idea has been vindicated as the TARP today has included language and we here today are continuing to engage in the dialogue to provide monies to those in mortgage foreclosure. I have also asked for modification of homeowners' existing loans to avoid mortgage foreclosure. I believe that the rules governing these loans should be relaxed. These are indeed tough economic times that require tough measures.

Because of the pervasive home foreclosures, federal legislation is necessary to curb the fallout from the subprime mortgage crisis. For consumers facing foreclosure sale who want to retain their homes, Chapter 13 of

the Bankruptcy Code provides some modicum of protection. The Supreme Court has held that the exception to a Chapter 13's ability to modify the rights of creditors applies even if the mortgage is undersecured. Thus, if a Chapter 13 debtor owes \$300,000 on a mortgage for a home that is worth less than \$200,000, he or she must repay the entire amount in order to keep his or her home, even though the maximum that the mortgage would receive upon foreclosure is the home's value, i.e., \$200,000, less the costs of foreclosure.

Importantly, H.R. 1106 provides for a relaxation of the bankruptcy provisions and waives the mandatory requirement that a debtor must receive credit counseling prior to the filing for bankruptcy relief, under certain circumstances. The waiver applies in a Chapter 13 case where the debtor submits to the court a certification that the debtor has received notice that the holder of a claim secured by the debtor's principal residence may commence a foreclosure proceeding against such residence.

This bill also prohibits claims arising from violations of consumer protection laws. Specifically, this bill amends the Bankruptcy Code to disallow a claim that is subject to any remedy for damages or rescission as a result of the claimant's failure to comply with any applicable requirement under the Truth in Lending Act or other applicable state or federal consumer protection law in effect when the non-compliance took place, notwithstanding the prior entry of a foreclosure judgment.

H.R. 1106 also amends the Bankruptcy Code to permit modification of certain mortgages that are secured by the debtor's principal residence in specified respects. Lastly, the bill provide that the debtor, the debtor's property, and property of the bankruptcy estate are not liable for a fee, cost, or charge incurred while the Chapter 13 case is pending and that arises from a debt secured by the debtor's principal residence, unless the holder of the claim complies with certain requirements.

I have long championed the rights of homeowners, especially those facing mortgage foreclosure. I have worked with the Chairman of the House Judiciary Committee to include language that would relax the bankruptcy provisions to allow those facing mortgage foreclosure to restructure their debt to avoid foreclosure.

MANAGER'S AMENDMENT

Because I have long championed the rights of homeowners facing mortgage foreclosure in the recent TARP bill and before the Judiciary Committee, I have worked with Chairman CONYERS and his staff to add language that would make the bill stronger and that would help more Americans. I co-sponsored sections of the Manager's Amendment and I urge my colleagues to support the bill.

Specifically, I worked with the Chairman CONYERS to ensure that in section 2 of the amendment, section 109(h) of the Bankruptcy Code would be amended to waive the mandatory requirement, under current law, that a debtor receive credit counseling prior to filing for bankruptcy relief. Under the amended language there is now a waiver that will apply where the debtor submits to the court a certification that the debtor has received notice that the holder of a claim secured by the debtor's principal residence may commence a foreclosure proceeding against such residence.

This is important because it affords the debtor the maximum relief without having to

undergo a slow credit counseling process. This will help prevent the debtors credit situation from worsening, potentially spiraling out of control, and result in the eventual loss of his or her home.

Section 4 of the Manager's Amendment relaxes certain Bankruptcy requirements under Chapter 13 so that the debtor can modify the terms of the mortgage secured by his or her primary residence. This is an idea that I have long championed in the TARP legislation—the ability of debtors to modify their existing primary mortgages. Section 4 allows for a modification of the mortgage for a period of up to 40 years. Such modification cannot occur if the debtor fails to certify that it contacted the creditor before filing for bankruptcy. In this way, the language in the Manager's Amendment allows for the creditor to demonstrate that it undertook its “last clear” chance to work out the restructuring of the debt with its creditor before filing bankruptcy.

Importantly, the Manager's Amendment amends the bankruptcy code to provide that a debtor, the debtor's property, and property of the bankruptcy estate are not liable for fees and costs incurred while the Chapter 13 case is pending and that arises from a claim for debt secured by the debtor's principal residence.

Lastly, I worked to get language in the Manager's Amendment that would allow the debtors and creditors to get to negotiate before a declaration of bankruptcy is made. I made sure that the bill addresses present situations at the time of enactment where homeowners are in the process of mortgage foreclosure. This is done with a view toward consistency predictability and a hope that things will improve.

RULES COMMITTEE

During this time, debtors and average homeowners found themselves in the midst of a home mortgage foreclosure crisis of unprecedented levels. Many of the mortgage foreclosures were the result of subprime lending practices.

I have worked with my colleagues to strengthen the housing market and the economy, expand affordable mortgage loan opportunities for families at risk of foreclosure, and strengthen consumer protections against risky loans in the future. Unfortunately, problems in the subprime mortgage markets have helped push the housing market into its worst slump in 16 years.

Last night, I offered an amendment that would prevent homeowners and debtors, who were facing mortgage foreclosure as a result of the unscrupulous and unchecked lending of predatory lenders and financial institutions, from having their mortgage foreclosure count against them in the determination of their credit score. It is an equitable result given that the debtors ultimately faced mortgage foreclosure because of the bad practices of the lender.

Simply put, my amendment would prevent homeowners who have declared mortgage foreclosure as a result of subprime mortgage lending and mortgages from having the foreclosure count against the debtor/homeowner in the determination of the debtor/homeowner's credit score.

Specifically, my amendment language was the following:

SEC. 205. FORBEARANCE IN CREATION OF CREDIT SCORE.

(a) IN GENERAL.—Section 609 of the Fair Credit Reporting Act (15 U.S.C. 1681g) is amended by adding at the end the following new subsection:

“(h) FORECLOSURE ON SUBPRIME NOT TAKEN INTO ACCOUNT FOR CREDIT SCORES.—

“(1) IN GENERAL.—A foreclosure on a subprime mortgage of a consumer may not be taken into account by any person in preparing or calculating the credit score (as defined in subsection (f)(2)) for, or with respect to, the consumer.

“(2) SUBPRIME DEFINED.—The term ‘subprime mortgage’ means any consumer credit transaction secured by the principal dwelling of the consumer that bears or otherwise meets the terms and characteristics for such a transaction that the Board has defined as a subprime mortgage.”

(b) REGULATIONS.—The Board shall prescribe regulations defining a subprime mortgage for purposes of the amendment made by subsection (a) before the end of the 90-day period beginning on the date of the enactment of this Act.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect at the end of the 30-day period beginning on the date of the enactment of this Act and shall apply without regard to the date of the foreclosure.

The homeowners should not be required to pay for the bad acts of the lenders. It would take years for a homeowner to recover from a mortgage foreclosure. My amendment would have strengthened this already much needed and well thought out bill.

I intend to offer a bill later this Congress to address this issue.

HOUSING AND FORECLOSURES AND TEXAS

Despite being such a large state, Texas ranks only 17th in foreclosures, below the national average. One reason is that Texas homeowners enjoy strong constitutional protections under the state's home-equity lending law. These consumer protections include a 3% cap on lender's fees, 80% loan-to-value ratio (compared to many other states that allow borrowers to obtain 125% of their home's value), and mandatory judicial sign-off on any foreclosure proceeding involving a defaulted home-equity loan.

Nationwide, the number of home foreclosures rose nearly 60% from February 2007 to February 2008, while foreclosures in Texas actually decreased 1% during the same period. In fact, state-wide foreclosure filings in Texas dropped 17% from January to February.

Still, in the last month, in Texas alone there have been 30,720 foreclosures and sadly 15,839 bankruptcies. Much of this has to do with a lack of understanding about finance—especially personal finance.

Last year, Americans' personal income decreased \$20.7 billion, or 0.2 percent, and disposable personal income (DPI) decreased \$11.8 billion, or 0.1 percent, in November, according to the Bureau of Economic Analysis. Personal consumption expenditures (PCE) decreased \$56.1 billion, or 0.6 percent. In India, household savings are about 23 percent of their GDP.

Even though the rate of increase has showed some slowing, uncertainties remain. Foreclosures and bankruptcies are high and could still beat last year's numbers.

Home foreclosures are at an all-time high and they will increase as the recession continues. In 2006, there were 1.2 million foreclosures in the United States, representing an

increase of 42 percent over the prior year. During 2007 through 2008, mortgage foreclosures were estimated to result in a whopping \$400 billion worth of defaults and \$100 billion in losses to investors in mortgage securities. This means that one per 62 American households is currently approaching levels not seen since the Depression.

The current economic crisis and the foreclosure blight have affected new home sales and depressed home value generally. New home sales have fallen by about 50 percent.

One in six homeowners owes more on a mortgage than the home is worth raising the possibility of default. Home values have fallen nationwide from an average of 19% from their peak in 2006 and this price plunge has wiped out trillions of dollars in home equity. The tide of foreclosure might become self-perpetuating. The nation could be facing a housing depression—something far worse than a recession.

Obviously, there are substantial societal and economic costs of home foreclosures that adversely impact American families, their neighborhoods, communities and municipalities. A single foreclosure could impose direct costs on local government agencies totaling more than \$34,000.

Recently, the Congress set aside \$100 billion to address the issue of mortgage foreclosure prevention. I have long championed that money be a set aside to address this very important issue. I believe in homeownership and will do all within my power to ensure that Americans remain in their houses.

BANKRUPTCY

I have long championed in the first TARP bill that was introduced and signed late last Congress, that language be included to specifically address the issue of mortgage foreclosures. I had asked that \$100 billion be set aside to address that issue. Now, my idea has been vindicated as the TARP that was voted upon this week has included language that would give \$100 billion to address the issue of mortgage foreclosure. I am continuing to engage in the dialogue with Leadership to provide monies to those in mortgage foreclosure. I have also asked for modification of homeowners' existing loans to avoid mortgage foreclosure. I believe that the rules governing these loans should be relaxed. These are indeed tough economic times that require tough measures.

CREDIT CRUNCH

A record number of commercial real estate loans coming due in Texas and nationwide the next three years are at risk of not being renewed or refinanced, which could have dire consequences, industry leaders warn. Texas has approximately \$27 billion in commercial loans coming up for refinancing through 2011, ranking among the top five states, based on data provided by research firms Foresight Analytics LLC and Trepp LLC. Nationally, Foresight Analytics estimates that \$530 billion of commercial debt will mature through 2011. Dallas-Fort Worth has nearly \$9 billion in commercial debt maturing in that time frame.

Most of Texas' \$27 billion in loans maturing through 2011—\$18 billion—is held by financial institutions. Texas also has \$9 billion in commercial mortgage-backed securities, the third-largest amount after California and New York, according to Trepp.

Mr. Chair, my amendment would have helped alleviate these problems. Although my amendment language was included in the bill,

I believe that this bill is important and will do yeoman's work helping America get back on the right track with respect to the economy and the mortgage foreclosure crisis. I wholeheartedly urge my colleagues to support this bill.

Mr. JORDAN of Ohio. I yield 2 minutes to a colleague and friend from Iowa, Congressman KING.

Mr. KING of Iowa. Mr. Chairman, this is a bad bill, and I would echo the statement of Congressman LOUIE GOHMERT from Texas.

We have community bankers. We have independent bankers. They're good bankers. These are people who understand their communities. They understand their customers. They understand their depositors. They make these discretionary decisions at a community level.

I represent 286 towns in 32 counties in western Iowa. Some of those towns have shriveled up. Some other towns have actually shriveled up and have gone away, but when I look at what's left of the towns that are shrinking, often the last enterprise is the community bank, the independent bank, because they're investing back into the community.

When I watch these communities grow back again—and some of them have grown back again since I've been elected to Congress—it's because there's an investment locally because decisions are made at the discretion of the depositors. They are those who support the board members who hire the loan officers who make these discretionary decisions. They want mortgages. They want to invest in the community. They're invested in the community. This cramdown bill hands it over to an unelected judge.

We had an intense discussion in the Rules Committee last night about what kind of accountability there is for judges. I'd like to hear a list of the names of those judges who have been removed for incompetence, let alone for poor discretion. I'd rather give that discretion to the banker who is accountable to the depositors than to a judge who is not accountable unless Congress happens to find him.

Speaking of accountability, I do rise in frustration that an amendment that I introduced in the Judiciary Committee that succeeded by a vote of 21-3 was taken out of this bill after the fact. Even though it had the support of the chairman and of all but three Democrats and every Republican, when something like that happens out of committee, I have to trust as an elected Member of Congress that there will be a level of respect so that when the committee votes, that's the will of the committee. I would argue that the job is for the Chair or for the Speaker or for whomever it might be to bring out the will of the group.

The CHAIR. The time of the gentleman has expired.

Mr. JORDAN of Ohio. I yield an additional minute to the gentleman.

Mr. KING of Iowa. The way you find out the will of the group is you have a

vote, and there is a full expectation, when an amendment passes in committee, it is part of the bill. That's why we have the markup.

So I had an impromptu colloquy with the chairman, and he said, "I accept responsibility. I'll find out what happened. I'll report back to you. I'll get back to you right away."

I don't know the answer to that at this point. I can only draw the conclusion that, since no one knew this happened and since no member of the Judiciary Committee, no Member of Congress has said, "I'm responsible," other than responsible for its happening, I trust it was a staff act that's not been held accountable. Until I get an answer, I'm going to operate under the assumption that no other agreement that's made between gentlemen is going to be valid until we can make this one valid.

Mr. CONYERS. Mr. Chairman, it is with great pleasure that I recognize for 2 minutes the subcommittee Chair of Immigration, the head of the Ethics Committee, and a great leader in the Congress, ZOE LOFGREN.

Ms. ZOE LOFGREN of California. Mr. Chairman, there has been a lot discussed here on the floor today that this is a problem that is limited to just a few parts of our country—California, Nevada, Florida. I just think this is important:

I went and got the records for year to year on the rate of foreclosure. In Alabama, there was nearly a 73 percent increase; in Arkansas, a 127 percent increase; in Hawaii, a 139 percent increase; in Kentucky, a nearly 60 percent increase; in Maine, a 104 percent increase; in Missouri, a nearly 60 percent increase; in Nebraska, a 165 percent increase; in New Hampshire, a 356 percent increase; in New Mexico, a 270 percent increase; in North Carolina, a 126 percent increase; in North Dakota, a 150 percent increase.

This is happening all over the United States, and I'll tell you: when foreclosures hit a neighborhood, when half of the block is up for sale in a bank sale, the value of your home declines dramatically, and when the meth dealers move into those naked homes, I'll tell you that it does nothing to increase the value of the homes of the remaining homeowners.

It is essential that we interrupt this foreclosure wave. Now, this very modest bankruptcy piece is a small part of the picture. It's important to note that, contrary to some of the comments, this provision only relates to mortgages entered into before the effective date of this bill. It is not prospective. It is retroactive only. We have further narrowed the provision in the manager's amendment, which will be discussed later, but I think it's worth noting that the bad faith on the part of a debtor throws the whole thing out. We've made tremendous improvements. It's essential that we act soon.

Mr. JORDAN of Ohio. If the gentleman from Michigan has more speakers, we will reserve the balance of our time.

Mr. CONYERS. I yield 1 minute to the gentlewoman from California, LINDA SÁNCHEZ.

Ms. LINDA T. SÁNCHEZ of California. Mr. Chairman, I rise in strong support of the Helping Families Save Their Homes Act.

The mortgage meltdown affects everyone. No one is immune from the widespread effects of home foreclosures. It hurts the families who are forced out of their homes, of course, but it also hurts their neighbors, who see a drastic drop in property values and communities that have to cut back services due to losses in property values. For too many, the American dream of owning a home has quickly eroded into a nightmare. The bill's mortgage bankruptcy and loan modification provisions will provide direct help to real American families.

As the former chairwoman of the Commercial and Administrative Law Subcommittee, I held many hearings on the mortgage foreclosure crisis and its impact on families. I know that this bill fixes an inequity in the bankruptcy code by ensuring that, under limited conditions, homeowners and bankruptcy proceedings will have access to the full range of financial support and options available.

I urge my colleagues on both sides of the aisle to support homeowners and neighborhoods by supporting this vital piece of legislation.

Mr. JORDAN of Ohio. We will continue to reserve the balance of our time.

□ 1245

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Chairman, Chairman CONYERS has done a wonderful job bringing this bill to the floor with others. This is a bill that shouldn't be partisan, but the other side has tried to make it such. And obviously it's not because otherwise Jack Kemp wouldn't be wholeheartedly supporting this. Besides Jack Kemp, Nobel Prize winners in economics, Joseph Stiglitz and Paul Krugman, as well as George Soros, endorse it. In fact, this is something the American people need.

President Obama just the other night spoke about doing something worthwhile, words engraved above the Speaker's rostrum. This is something worthwhile we can do to help individuals stay in their homes, help communities, help local governments.

If we lose these people's homes to foreclosure, which otherwise we would, it's no cupcake ride into the bankruptcy court. There are strict rules about income and assets that allow a person to get in there. And the judges who are there, who might be decried by some, are judges that are appointed and sit as a decider between the bor-

rowers and lenders for what's equitable and right. These people lose their homes and the neighborhoods' values will go down, home values will go down, tax revenues to local and State governments will go down, crime will go up. This is an effective way for neighborhood stabilizations and to keep families in their homes.

The fact is this law came out of a compromise in the Congress in 1978. And Justice Stevens might have been talking about that legislation, but it wasn't Justice Stevens' logic. And he talked about the flow of capital into the housing market. Well, there was too much flowing of capital into the housing market, and that's what's caused these foreclosures.

This bill will force modifications. People have to give 15 days' notice before they can go into bankruptcy, and hopefully banks will then have voluntary modifications, which they've refused to do up to this point. And remember, the key to this bill is FDIC insurance. And if we don't pass this bill, the banks and the community banks and the credit unions won't get \$250,000 of FDIC insurance to protect the banks for what has been their profligate ways that have put us in this circumstance that we are in now in this economy and in this country.

But we need to support this legislation and see that we get the FDIC insurance for the right spot, and then we need to do something for our families and our neighborhoods.

Mr. JORDAN of Ohio. Mr. Chairman, I continue to reserve.

Mr. CONYERS. Mr. Chairman, may I inquire how many speakers my friend on the other side has remaining?

Mr. JORDAN of Ohio. I will be closing.

The CHAIR. The Chair will note that both sides have 2 minutes remaining.

Mr. JORDAN of Ohio. Mr. Chairman, there is nothing in this bill that requires borrowers to attempt to work out a loan modification prior to filing for bankruptcy. There is nothing in this bill that will limit bankruptcy relief to only those borrowers that are in danger to losing their homes because they have a subprime or nontraditional loan.

In fact, I offered this very amendment to limit the scope of the provision in committee, same amendment that was actually the bill that came out of committee last session. Unfortunately, that was defeated.

There is nothing in this bill that addresses the moral hazard the bankruptcy provisions will create by incentivizing homeowners to file for bankruptcy so they can cram down their principal and receive a windfall when housing prices rise in the future. And there is nothing in this bill that will place a sunset on the bankruptcy provisions so that this relief is limited to the current crisis.

Americans want solutions to this crisis that do not abandon accountability and that do not reward those who acted

irresponsibly. But think about this: 94 percent of mortgages are being paid on time. It is wrong to tell those individuals they are now going to have to in some way compensate or not be able to get credit in the future to accommodate those individuals, that 6 percent, who have behaved in an irresponsible fashion.

Bankruptcy cramdown is not such a solution. It absolves lenders and borrowers of the responsibility, passing that responsibility off on the taxpayers, those who borrowed responsibly, and those who will seek to borrow responsibly in the future.

I urge my colleagues to vote against this bill.

I yield back the remainder of our time.

Mr. CONYERS. Mr. Chairman, it gives me pleasure to yield the remainder of our time to the gentleman from North Carolina, BRAD MILLER.

Mr. MILLER of North Carolina. Mr. Chairman, it is remarkable after all that has happened in the American economy to still hear the talking points of the banking industry and the securities industry repeated verbatim without criticism, simply parroted. That the banking industry is really all about helping folks, that's what caused the problem; that they were trying too hard to help people; that they loaned, perhaps not wisely but too well.

The reality is, this is not going to affect the availability of credit. We've got plenty to judge that by. There have been rafts of economic studies by real economists in peer review journals that show that when you compare lending practices in one place and another at the same time with different laws, there is very little, if any, difference.

Now, the minority has tried to tap into the American anger at banks by calling this a bailout. The reason that the banking industry is so virulently opposed to this, this is the only proposal to deal with the foreclosure problem that does not give them tax money. We aren't begging them, we aren't bribing them to do the right thing; we will make them do the right thing. They will modify mortgages in the way they should have, voluntarily, involuntarily in bankruptcy court if they don't do it voluntarily.

Mr. GOHMERT suggests this is somehow going to be wild, arbitrary, the Wild West, no one knows what a bankruptcy court will do, what a bankruptcy judge will do. Mr. Chairman, there have been thousands of bankruptcy cases. The law is very clear. The procedures are very clear. The judges do this all the time. Everyone involved in bankruptcy knows exactly what will happen, and it will be a very predictable, orderly, logical modification of mortgages in bankruptcy so that borrowers will come out with the very mortgage—with the mortgage they should have gotten, if they should have gotten a mortgage at all—and the lender will come out with a mortgage they should have made in the first place.

Do something the banks won't like to solve this problem and pass this bill.

The CHAIR. The gentleman from Massachusetts (Mr. FRANK) will be recognized for 15 minutes and the gentleman from Alabama (Mr. BACHUS) will be recognized for 15 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, this bill is a joint product of two committees: the Committee on the Judiciary and the Committee on Financial Services. I very much appreciate the fully cooperative relationship that the gentleman from Michigan and I and the members of the committee staffs have had. Working with him has been a pleasure as he has taken the lead in the more controversial parts of this bill. I say controversial not in denigration but in support.

I think the bankruptcy provisions—which are the product of the Judiciary Committee, not the committee I chair—are essential. I was particularly struck—and I will enter into the RECORD letters from the National Council of Life Insurers specifically approving the bankruptcy provision, and from the National Association of Realtors also approving the bill.

Obviously, there are people entitled to a variety of opinions, but I think it's relevant to note that two important groups, one involved in housing—the Realtors—and another very, very much involved in finance—the Life Insurance Council—support the bill including the bankruptcy provision.

There is another reason why bankruptcy is relevant to some of the things in the jurisdiction of our committee. Even where there are people willing to modify mortgages, there are some legal tangles. We have this form of a servicer. A servicer is an entity which has been given control or authority over packages of mortgage securities. Even in cases where the servicer has been willing, in some cases, to do a modification, that entity is facing lawsuits from investors who say you can't do it.

There are also second mortgages, that is, even in cases where there are a lot of willing parties to this on both the lender and the borrower's side, the fact that there is such a tangle of legal rights has been an obstacle. Bankruptcy is the only way to cut through that. And given the moderate way in which bankruptcy has been put into this bill, that adds to—let me put it this way, people are saying let's have voluntary modification. But some modifications that are supported by almost everybody cannot go forward because of this.

Beyond that, this bill has some things that are widely supported. For instance, the increase in the insurance deposit limits is supported by the community banks and the National Federation of Independent Business and almost every other group. It does provide to the servicers to whom I just alluded a protection that was a bipartisan pro-

duction of the gentleman from Delaware (Mr. CASTLE) and the gentleman from Pennsylvania (Mr. KANJORSKI) to say that if you as the servicer modify a loan that you hold on behalf of an investor in ways that will minimize the loss to the investor, you could not be successfully sued because you will have carried out your obligation. It authorizes the payment of a fee of up to a thousand dollars to servicers for modifications because this is a job that many of them did not expect.

It also improves the HOPE for Homeowners program which, when we passed it in July, had some hopes and they weren't realized; and I will acknowledge that we didn't do that well. We were at the time responding to pressures that said don't be too generous. As a result, particularly after the Senate got through with it, it became unworkable.

The impetus for change came in part from the Bush administration. The FHA, under the Bush administration, Secretary Preston and Commissioner Montgomery, said you've made this unworkable. So we have amendments that would make it workable. And what we hope coming together is this: no one ought to be encouraged to go bankrupt or think bankruptcy is an easy path. We do prefer voluntary modifications.

What we have is a package, along with the very good proposals enunciated last week by the President, worked on by Secretary Geithner and Secretary Donovan, who did an excellent job on it, we have a menu of ways using all the powers of the Federal Government, including authority, by the way, that we first gave the administration, the Bush administration, in the TARP bill, which they sadly refused to use. But this administration is using authorities that were given to the Bush administration through Fannie Mae and Freddie Mac, through the TARP, through other ways, through the FDIC and other bank regulators. This enhances the authority to do modifications.

So the result—and this is why it's a package. We strengthen the community banks, in particular, with this increase in the deposit insurance; we provide a set of options other than bankruptcy to modify; and we remove legal obstacles, to the extent we can constitutionally do so, to such voluntary modifications. But we then believe that in some cases, you will still need to go to bankruptcy to deal with these tangles that I mentioned, and we also believe that the fact that there is a bankruptcy looming will be an encouragement to negotiations.

On both the lender's and the borrower's side, we've heard complaints that they have tried to communicate with the other. Some people say, "I wrote to my lender. He didn't answer." Some lenders say, "I wrote to the borrower. She didn't respond."

One of the things that the Judiciary Committee did very well—and I think

they did an excellent drafting job on this bill—is to say that if you want to go bankrupt, you have to notify your lender and then there is a waiting period.

So this will promote exactly the kind of communication between lenders and borrowers that we hoped would go forward.

NATIONAL ASSOCIATION OF REALTORS,

Washington, DC, February 24, 2009.

DEAR REPRESENTATIVE: When people lose homes to foreclosure, our communities, the housing market and our economy all suffer. The National Association of REALTORS® believes H.R. 1106, the "Helping Families Save Their Homes Act," includes provisions to minimize foreclosures, stabilize home values and move the country closer to an economic recovery.

The bill provides a safe harbor for mortgage servicers who conduct loan modifications in good faith. Currently few loan modifications are occurring because servicers face the threat of investor lawsuits. This provision will relieve servicers from liability, and allow more loans to be modified.

The bill also reforms the Hope for Homeowners program, allowing more borrowers to refinance into safe, affordable mortgages. Despite being well-intentioned, the Hope for Homeowners program has enjoyed very limited success. The program's constraints have made it very difficult for lenders and servicers to participate. H.R. 1106 eases current restrictions and makes the program more useable, while still preserving the benefits to homeowners and limiting risks to the FHA fund and the American taxpayer.

The bill strengthens oversight of FHA-approved lenders. FHA is experiencing unprecedented volume during this mortgage liquidity crisis. More and more lenders want to become involved with FHA. To ensure that predatory lenders are unable to participate, the bill provides a number of safeguards to protect the FHA fund and taxpayers from fraud and abuse.

As progress continues on the bankruptcy provisions within this bill, NAR would support reasonable and equitable requirements for judicial review of loan terms for homeowners who are forced into bankruptcy because they are unable to qualify for or obtain foreclosure prevention assistance.

The National Association of REALTORS® believes H.R. 1106 will help millions of homeowners who are at risk of losing their homes. It will also help neighborhoods avoid the ramifications of foreclosures and will help our economy on the road to recovery. We ask you to support this important bill.

Sincerely,

CHARLES MCMILLAN,
2009 President.

FEBRUARY 24, 2009.

DEAR MEMBER OF CONGRESS: On behalf of the ACLI and its 340 member companies, I commend Congress and President Obama for considering different ways to mitigate the impact of foreclosures on homeowners. I am particularly pleased that as the House moves forward with H.R. 1106, which includes new mortgage "cram down" authority for bankruptcy courts, the effects on investors are being taken into consideration.

The policy rationale behind bankruptcy relief is laudable: providing a way for homeowners in financial distress but with sufficient means to remain in their homes. As the bill recognizes, it is equally important to ensure that there are no unintended negative consequences on those who have invested in mortgage backed securities to the benefit of millions of American homeowners.

The life insurance industry provides millions of Americans with the products that can help them attain financial and retirement security. To maintain sufficient reserves and surplus to meet obligations to policyholders, life insurance companies are required to invest in high quality financial instruments. For decades we have been the largest holder of corporate bonds in the U.S., and we also hold a significant amount of top tier mortgage backed securities. That is why language clarifying the new cram down law's effect on investors is so important to this industry.

Without clarifying language, top tier mortgage backed securities could be downgraded significantly, resulting in increased capital requirements for life insurers and a need to raise additional capital in a hostile environment. An inability to raise capital could result in unwelcome downgrades for life insurers.

This issue by itself is of extreme importance to life insurers. When coupled with the impact of other recent government actions, it could impair an otherwise strong and stable, but increasingly challenged, industry. For example, the \$3.5 billion in bonds held by life insurers were virtually erased by the fire sale of WaMu to JP Morgan. Life insurers' \$1 billion in preferred stock was virtually wiped out by the take-over of Fannie and Freddie. And we are tested daily by the SEC's failure to adjust mark to market accounting.

The cumulative impact of these actions on the life insurance industry could erode a vitally important sector of the financial services industry. Our companies can weather this economic storm, but only if lawmakers recognize the consequences of their actions on an industry that provides millions of Americans with financial protections they cannot obtain anywhere else.

That is why we endorse the inclusion of the language in Section 124 of H.R. 1106. We believe the inclusion of this language is a step in the right direction in avoiding negative, unintended consequences on investors who are vital to this nation's economic recovery. We look forward to working with the House and Senate as this legislation moves forward to make sure that all the ramifications are considered and properly addressed.

Sincerely,

FRANK KEATING,
President & Chief Executive Officer, ACLI.

NATIONAL FEDERATION
OF INDEPENDENT BUSINESS,
Washington, DC, February 25, 2009.

Hon. BARNEY FRANK,
Chairman, Financial Services Committee, House
of Representatives, Washington, DC.

Hon. SPENCER BACHUS,
Ranking Member, Financial Services Committee,
House of Representatives, Washington, DC.

DEAR CHAIRMAN FRANK AND RANKING MEMBER BACHUS: On behalf of the National Federation of Independent Business, the nation's leading small business advocacy organization, I am writing in support of Section 204 of H.R. 1106, which makes permanent the deposit insurance limits enacted as part of the Emergency Economic Stabilization Act of 2008.

Specifically, we are pleased that H.R. 1106 permanently increases the FDIC insurance limits from \$100,000 to \$250,000, giving small businesses confidence that their business banking assets are secure. It also provides more assurance for banks, especially community banks, that their customers will not remove their money.

Permanently expanding deposit insurance coverage from \$100,000 per account to \$250,000 is critical for small businesses, many of whom rely on bank deposits to meet payroll and finance other business activity. Accord-

ing to the NFIB's Research Foundation, a majority of small-business owners use two or more financial institutions to conduct their firms' affairs.

America's 26 million small businesses are facing the toughest economic climate in decades. Raising FDIC deposit limits will ensure that small business owners can readily access their insured accounts, allowing them to survive and compete in today's challenging economy.

Thank you for your support of small businesses, and we appreciate your leadership on this issue.

Sincerely,

SUSAN ECKERLY,
Senior Vice President,
Public Policy and Political.

AARP,
Washington, DC, February 25, 2009.

Hon. NANCY PELOSI,
Speaker, House of Representatives, The Capitol,
Washington, DC.

Hon. JOHN A. BOEHNER,
Minority Leader, House of Representatives, The
Capitol, Washington, DC.

DEAR SPEAKER PELOSI AND REPRESENTATIVE BOEHNER: On behalf of AARP and its 40 million members, I am writing to reiterate our strong support for legislation to permit modification of home mortgages in bankruptcy as an option to help homeowners avoid foreclosure. Bankruptcy offers an existing structure, and an impartial and trusted process that can help hundreds of thousands of families save their homes, and do so at little cost to taxpayers.

Over 1.5 million homes with subprime mortgages have already been lost to foreclosure. A December 2008 Credit Suisse report estimated that foreclosures of all types of mortgages could exceed 8 million by the end of 2012 the equivalent of one foreclosure for every 6 households with mortgages. Recent research by AARP found that Americans age 50 and older hold 41 percent of all first mortgages and represent 28 percent of all homeowners in delinquency or foreclosure. Clearly, millions of older homeowners will face the loss of their homes, and much of their retirement assets, unless more effective foreclosure relief can be provided.

The foreclosure relief plan announced by President Obama last week includes support for judicial mortgage modification as part of a coordinated set of new initiatives to address the foreclosure crisis. While these initiatives will benefit many distressed homeowners, many others will not be assisted either because they are too deeply in debt to benefit from loan refinancing, their loans exceed the GSE loan principal limits, or they lose their jobs and have too little income to pay their mortgage. Court supervised loan modification thus becomes essential to the success of the broader foreclosure relief plan, serving both as an option of last resort for these families to save their homes and as an incentive for servicers generally to offer meaningful loan modifications outside of court.

Legislation to allow for judicial modification of primary mortgages (H.R. 200) was approved last month by the Judiciary Committee and has been combined with other important measures to stabilize the housing market and prevent foreclosures in H.R. 1106, the "Helping Families Save Their Homes Act of 2009."

This legislation offers a balanced approach to bankruptcy reform that will provide relief for many distressed homeowners while limiting any adverse impact on the cost of future mortgage credit.

We urge the House to resist all weakening amendments to the bankruptcy sections of

H.R. 1106 and to immediately approve this timely and needed legislation.

Sincerely,

DAVID P. SLOANE,
Senior Vice President,
Government Relations and Advocacy.

I reserve the balance of my time.

Mr. BACHUS. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina (Mr. BARRETT).

Mr. BARRETT of South Carolina. Mr. Chairman, I rise in opposition to H.R. 1106 because I believe the bill is unwise, unproductive, and most of all, unfair.

My heart goes out, Mr. Chairman, to anyone facing foreclosure. It's never easy to hear the stories of families losing their homes. But allowing bankruptcy judges to modify mortgages is not the right solution for our economy or for our housing market.

□ 1300

The provisions in this bill allow bankruptcy judges to cram down principal in mortgages on primary residences, and it will have long-lasting adverse and unintended consequences on our housing market. I offered an amendment that would take out these cramdown provisions, but unfortunately, Mr. Speaker, it wasn't even allowed to come to the floor.

This legislation is unfair to Americans who have made difficult decisions to cut back their spending in order to pay for their mortgages. By further tightening the credit market, this bill forces homebuyers to pay more for their mortgages.

Allowing judges to rewrite mortgage contracts will effectively increase the cost and reduce the availability of credit to homebuyers. No matter how narrow the mortgage cramdown provisions are, allowing these mortgages to be modified in bankruptcy courts will create additional uncertainty in the housing market. America needs certainty right now, Mr. Speaker, and this bill moves us in the wrong direction.

I urge my colleagues to join me in opposing H.R. 1106 to protect responsible homeowners.

Mr. FRANK of Massachusetts. I yield 1½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me to speak on this just as I appreciate his hard work and leadership.

We hear our Republican friends from the other side of the aisle who talk about their hearts going out to people across the country who are facing the tragedy of losing their homes. They have their home mortgage under water, in circumstances beyond their control in a system that has systematically destroyed the ability of people to be able to actually voluntarily deal with a modification of their loan as my friend, the chairman, mentioned. This legislation steps forward to restructure the relationship, to be able to have the modification. But most importantly, it is the fastest, least expensive way to cut through the thicket of these issues.

Now, I hear people talking about cramdown provisions. It's exactly the same provision that Donald Trump is going to have the next time he goes bankrupt on his fourth vacation home. I've got a situation in my community, and it's much worse on the gold coast of Florida, or in Las Vegas, or in some places in California, where we have condominiums, where there are people who bought three, four, five units as investments. Then there is somebody who has the misfortune of just buying it to live in. The investor, the speculator can have the "cramdown" provision, he can have the terms modified, with the interest rate reduced, the balance reduced, but the poor person who just is living in his or her home is stuck. Doesn't sound to me like their hearts are going out to the people who are in trouble. That's not equitable. If we had had these provision in law before, we never would have securitized goofy loans and had this pyramid scheme start in the first place.

I salute the committee's work; I'm proud to support it. It is going to make a big difference, and everybody should vote for it.

Mr. BACHUS. Mr. Chairman, I yield 1½ minutes to the gentleman from Colorado (Mr. COFFMAN).

Mr. COFFMAN. Mr. Chairman, I rise in opposition to H.R. 1106.

The poison pill in this legislation is the cramdown provision. And the cramdown provision will create uncertainty in our credit markets at the very time that we are trying to stabilize our financial system. It will significantly raise the cost of borrowing, not just for Americans who are trying to refinance their homes, but for all future American homeowners. It will significantly raise the cost of borrowing because it will create a risk premium that lenders will have to place on these loans, knowing full well that if the value of the property goes down, then they will take a loss. But the legislation also creates a fiction that if the value of the property rises, that the lenders will be able to recover some of those losses.

This cramdown provision is wrong for restoring our credit markets and it is wrong for the millions of future homeowners across this country who will be forced to pay more for those who will be able to use our court system to pay less.

I would encourage a "no" vote on this legislation.

Mr. BACHUS. At this time, Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Chairman, I think I want to comment here on the marked difference that I've seen between the sanctity of the mortgage contract in the United States and what I've seen around the world.

Hernando de Soto, the Peruvian economist, touches on this in his book, "The Mystery of Capital: Why Capitalism Succeeds in the West and Fails Everywhere Else." And his point is

that, long term, this private mortgage contract is essential. If we begin to undo that contract, there isn't any reason to believe that interest rates won't climb up commensurate with the kinds of interest rates that we see with respect to what you pay on your Visa card or Master Charge.

The reality really is that Supreme Court Justice John Paul Stevens was right some 15 years ago when he cited that legislative history indicating that favorable treatment of residential mortgages were intended to encourage the flow of capital into the home lending market. And his point was that, without that capital flow coming in and pushing down interest rates, that long term we were going to face a considerably higher interest on home mortgages for the next generation.

Now, to those skeptics that have been convinced this is a temporary solution, I would just say that we should all remind ourselves that here in Washington there is nothing more permanent than a temporary solution. These things have a way of becoming permanent, and that is what I'm concerned about.

I am also concerned that we haven't recognized the role we played in this. And maybe, in terms of the good intentions of many of these Members who, frankly, if you look at the erosion of standards, once 20 percent was the down payment for a house, then it went to zero. And one of the reasons it went to zero was because of political pressure, because of the perception that we would make homeownership more affordable. One of the reasons Fannie Mae and Freddie Mac were allowed to over-leverage was for this same reason. This is not the solution.

The CHAIR. The gentleman's time has expired.

Mr. BACHUS. I yield an additional minute to the gentleman from California.

Mr. ROYCE. I thank the gentleman for yielding me that time because this is not the solution. We are going to compound the problem. We are going to put in motion here a reticence on the part of those who loan. And once the principal amount is reduced in these loans, once people know that they can go through the process of bankruptcy, they will be more hesitant to work through the process that Treasury has set up with this Hope Now Alliance. There's 2.3 million loans last year that were reworked with lower interest rates. And if you think about it, it's in the borrower's interest and it's also in the lender's interest to sit down and do these reworks. That's where our focus should be.

We should be encouraging those voluntary arrangements. We should be bringing resources to bear, to contact homeowners that are having trouble right now making those payments and remind them that instead of filing for foreclosure, if they get in touch with a lending institution, you can voluntarily right now run those out to 30-

year loans now at 6 percent. And when people are contacted, we find that most of these don't go into foreclosure. That's where the focus should be.

Mr. FRANK of Massachusetts. I will yield myself such time as I may consume because the gentleman from California wants to talk about the history and who pressured people into doing this.

Yes, it's true, there is a governmental role here: it is a refusal to regulate subprime loans. In 1994—and party is relevant—the last time before the previous Congress that the Democrats were in the majority, this Congress passed a law directing the Federal Reserve to regulate home loans in the subprime category that were issued by everybody. Bank loans were regulated, nonbanks were not. Alan Greenspan, the Chairman of the Federal Reserve, refused to use the authority and acknowledged in testimony before the Committee on Government Reform late last year that he had refused to use it and that he was mistaken.

So, part of the problem was, yes, there was a lowering of standards because the Federal Reserve refused to impose them. And then, let me quote Mark Zandi, who had been an adviser to JOHN MCCAIN, is now an economist of great repute—he was then, too, obviously—who notes in his book on this crisis that in 2004, the Bush administration decided, as part of its strategy of expanding homeownership, to push for an increase here, including, in 2004, the Bush administration ordered Fannie Mae and Freddie Mac to increase the number of loans they gave to people below the median income. And I will put into the RECORD my quotation at the time from an article put out by Bloomberg in which I objected to that. Secretary Jackson made them increase by 10 percent the number of loans they had to give to people below the median. And I said I thought that would be bad for Fannie and Freddie and bad for the borrowers because helping people borrow money they can't repay does them no good. And there was then an effort to try to get legislation passed to do what the Federal Reserve refused to do under Mr. Greenspan, regulate subprime loans. But the Republican leadership of the House at the time said we don't want to do this.

There was also concern about Fannie Mae and Freddie Mac. And in 2005, I, as the ranking minority member of the Committee on Financial Services, joined the chairman, a former colleague, Mr. Oxley, in supporting a bill out of our committee to tighten the regulation of Fannie Mae and Freddie Mac. I later was opposed to what was done in the Rules Committee to weaken a housing provision, but I wanted the bill to go forward. And, in fact, that bill went to the Senate with a large majority. I opposed it on the housing ground, but I was for the regulatory part. The Bush administration rejected it. Then Secretary of the

Treasury Snow said he thought the President was wrong. Mr. Oxley said he was very disappointed that the administration wouldn't go forward.

In any case, the Republican-controlled Senate refused to take the bill up. So from 1995 until 2006, under Republican control of the Congress, no bill was passed to regulate Fannie Mae and Freddie Mac better, and nothing was done to restrain inappropriate subprime mortgages.

In 2007, the Democrats returned to the majority. Within 4 months, the Committee on Financial Services had reported on exactly the bill that the Bush administration wanted under Secretary Paulson to tight the regulation of Fannie Mae and Freddie Mac. There was an organization called FM Watch that existed to try to tighten regulation of Fannie Mae and Freddie Mac, and they have been quoted as saying, after the House acted, "Well, we finally got what we wanted." That was in 2007.

So, yes, I regret the fact that in 2005 there was an intra-Republican split between Mr. Oxley and the President, with the Secretary of Treasury on Mr. Oxley's side and Senator SHELBY on the President's side, and we got no bill. We got it through the House in 2007. It was then delayed in the Senate, unfortunately. In 2008, I asked the Secretary of the Treasury to put it into the stimulus, the tough regulation of Fannie Mae and Freddie Mac. He couldn't do that at the time. We got it, but we got it too late. But we got it too late because 12 years of Republican rule went by and no bill became law.

Then we had subprime. When we were unable to pass a subprime bill in 2005 because the Republican leadership said no, we, in 2007, brought out a subprime bill. It passed this House. It was a bill to restrict inappropriate subprime loans. It was attacked by the Wall Street Journal—I'll put the editorial in there—it said it was "Sarbanes-Oxley for housing," that we would be depriving people of the chance to buy homes—yeah, people who shouldn't have had that chance. Once again, that was held up in the Senate. But to his credit, Chairman Bernanke, a Bush appointee, used precisely the authority that Alan Greenspan refused to use from 1994, from that statute, and imposed strict restrictions on bad subprime loans.

I think we will go further. And I expect the Committee on Financial Services once again to bring out the bill to restrict inappropriate subprime loans. And I will look for that energy that I've heard from time to time expressed by some of my Republican colleagues about keeping people from being put into homes they shouldn't have. Because last time it was a more partisan fight than it should have been, although the ranking member, who has a very good history of being concerned about this, did join us in voting for the bill.

The only other thing I would say is this—and I would agree that voluntary

modification is a good thing. But with the servicer-investor conundrum and with second mortgages, even almost entirely voluntary agreements to modify cannot go forward without bankruptcy.

FANNIE, FREDDIE TO SUFFER UNDER NEW
RULE, FRANK SAYS
(By James Tyson)

June 17 (Bloomberg)—Fannie Mae and Freddie Mac would suffer financially under a Bush administration requirement that they channel more mortgage financing to people with low incomes, said the senior Democrat on a congressional panel that sets regulations for the companies.

The new rule compels the companies to put 57 percent of their mortgage financing by 2008 toward homes for people with incomes no greater than area median income. Fannie Mae and Freddie, the two largest U.S. mortgage finance companies, must currently meet a 50 percent threshold.

The White House "could do some harm if you don't refine the goals," said Representative Barney Frank, a member from Massachusetts on the House Financial Services Committee. Frank's comments echo concerns of executives at the government-chartered companies that the new goals will undermine profits and put new homeowners into dwellings they can't afford. "At their outer edges they become counter-productive—there are not loans to make that will get repaid," Freddie Mac Chief Executive Richard Syron said Monday in an interview, referring to the new financing rule.

Frank said the administration is aiming to reduce the role of the two companies in mortgage financing, and has seized on the higher goals "as a useful stick by which to beat Fannie and Freddie."

HUD DEFENDS RULE

Alphonso Jackson, secretary of Housing and Urban Development, said the Bush administration has no hidden motives in seeking to raise the percentage of financing for low-income homeowners.

"There is no administration more supportive of Fannie and Freddie than we are," Jackson said today in interview. "We are just actualizing what should have been done years ago." An agency within HUD, the Office of Federal Housing Enterprise Oversight, regulates Fannie Mae and Freddie Mac, which own or guarantee about half the \$7.3 trillion U.S. mortgage market.

The housing guidelines, subject to a public comment period that ends on July 2, would become law Jan. 1. Referring to both the White House plans and the coming presidential election, Frank said, "nothing can stop them except a change in November." He spoke at a news conference sponsored by the presidential campaign of Senator John Kerry of Massachusetts.

Frank and housing industry representatives such as Jerry Howard, chief executive of the National Association of Homebuilders, say the White House rules fail to focus financing on multifamily housing and other market segments. The regulations also don't address a decline in refinancing and other market changes, they said.

"We don't see how these goals in any way put Fannie Mae and Freddie Mac into specific types of affordable housing," Howard said.

The association, which represents Centex Corp., Toll Brothers Inc. and about 215,000 other companies in the housing industry, plans to ask for a 60-day extension of the public comment period, Howard said.

Referring to the housing goals and the two companies, Frank said, we want to push them further, but it doesn't make sense to push them in an undifferentiated way."

Jackson said his critics should withhold judgment until after Jan. 1. "I don't see how people can say something is not going to work when we have not had a chance to implement it."

A SARBOX FOR HOUSING—HOW TO RESTRICT
LENDING TO THE POOR FOR YEARS TO COME

Throughout the 1980s and '90s, Congress prodded, even strong-armed, banks into making more mortgage loans to low-income and minority families. Washington enacted anti-discrimination and community lending laws with penalties against lenders for failing to issue riskier mortgages to homebuyers living in poor neighborhoods or with low down payments and subpar credit ratings. And so it was that the modern subprime mortgage market was born.

Now, and for a variety of reasons, some two million of those loans have gone sour, and the same politicians are searching for villains. Leading the charge is House Financial Services Chairman Barney Frank, who is accusing banks of "predatory lending"—by which he means making loans to the very group of borrowers that Mr. Frank and his colleagues urged banks to serve.

As early as today, Mr. Frank plans to hold a committee vote on his Mortgage Reform and Anti-Predatory Lending Act of 2007, which would impose new rules and financial penalties on subprime lenders, while providing new lawsuit opportunities for distressed borrowers. "People should not be lent money that's beyond what they can be expected to pay back," Mr. Frank says. Now, there's an idea. Why didn't the bankers think of that?

Mr. Frank's proposal is a trial lawyer's dream. It would forbid banks from signing up borrowers for "overly expensive loans"; require banks to make sure that the consumer has a "reasonable ability to repay the loan"; and insist that loans must be "solely in the best interest of the consumer." This kind of murky language would invite litigation from every borrower who misses a payment. If it becomes law we can expect to see billboards reading: "Behind on your mortgage? For relief, call 1-800-Sue-Your-Banker."

Also for the first time, banks that securitize mortgages would be made "explicitly liable for violations of lending laws." This is a version of secondary liability that holds the bundlers and resellers of mortgages responsible for the sins of the original lenders. The reselling of mortgages has been a boon both to housing liquidity and risk diversification. So to the extent the Frank bill adds a new risk element to securitizing subprime loans—and it surely will—the main losers will be subprime borrowers who will pay higher rates if they can get a loan at all.

No one disputes that there were lending excesses during this decade's housing revels. The Federal Reserve's easy money policy created a subsidy for debt and fed an asset bubble that made borrowers and lenders alike think prices would rise forever. If companies or individuals committed fraud, they should be punished. Meanwhile, federal regulators have been rewriting rules to outlaw the most abusive practices, such as onerous prepayment penalties and disguised balloon interest payments.

But for all the demonizing, about 80% of even subprime loans are being repaid on time and another 10% are only 30 days behind. Most of these new homeowners are low-income families, often minorities, who would otherwise not have qualified for a mortgage. In the name of consumer protection, Mr. Frank's legislation will ensure that far fewer of these loans are issued in the future.

All of this would also hit banks when they and their shareholders are already being

punished in the marketplace. The stock values of financial companies have taken a beating and executives are losing their jobs. Lenders are fleeing the subprime market, and the pendulum has swung to the opposite extreme as banks have tightened credit, which is contributing to the mortgage meltdown.

The latest housing data indicate that new home sales are down 23% from a year ago, with the biggest retrenchment in the subprime market. The volume of subprime securities was down a whopping 70% to \$15 billion in the third quarter from \$62 billion one year ago. Originations of the controversial subprime ARMs are down by 50% so far this year compared to 2006. Mr. Frank's bill couldn't come at a worse time, as it will further shrink credit to marginal borrowers, which will mean fewer buyers and extend the housing downturn.

The Frank bill is essentially a Sarbanes-Oxley for housing, an attempt to punish business in general for the excesses of an unscrupulous few and the perverse incentives created by Washington policy.

Mr. Chairman, I reserve the balance of my time.

Mr. BACHUS. Mr. Chairman, I yield 2 minutes to the gentlelady from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. Mr. Chairman, I rise today in opposition to this bill and to express my sincere disappointment in the way it has come to the floor.

Yesterday, I brought to the Rules Committee two simple, straightforward amendments that would have made this a much better bill. They would have ensured that taxpayers are protected from others making unfair profits on their dime. They would also prevent flippers, speculators, illegals and criminals from taking advantage of a program that should be aimed at worthy borrowers who are struggling to keep their homes.

The first amendment I offered required that taxpayer-funded mortgage assistance not go to those who misstated their income to get a mortgage, aren't even living in the residence, were convicted of financial fraud, or aren't in the country legally and permanently.

The second amendment is that taxpayers get paid back first. It required that those who profit from selling a property that benefited from taxpayer support pay back some of the money through an added capital gains tax.

□ 1315

Why should the 93 to 95 percent of Americans who are paying their mortgages on time have to foot the bill for others to make a profit on their real estate? It's not fair to my constituents who acted responsibly, have worked hard, saved, and took loans they knew that they could afford.

Mr. Chair, these sound to me like principles that we can all agree on, and yet the majority in the Rules Committee has refused to allow Members of the full House to vote on these commonsense amendments. I don't think that's what the American people want, and I would urge my colleagues to oppose this bill.

The CHAIR. The Chair will note that the gentleman from Alabama has 7½

minutes remaining and the gentleman from Massachusetts has 2½ minutes remaining.

Mr. FRANK of Massachusetts. Mr. Chairman, I will now yield 1 minute to the gentleman from Pennsylvania (Mr. KANJORSKI).

Mr. KANJORSKI. I want to thank my chairman for allowing me this time.

Mr. Chairman, let me say I want to rise in favor of the Helping Families Save Their Homes Act. I have two particular areas that I am particularly interested in. One was the provision that allows a reconstitution and protection or hold harmless for those who do modify mortgages. And Mr. CASTLE and I worked on that provision in the last Congress, and substantially the same type of provision has been included in this bill. It benefits everyone other than those cranky few investors who have the weakest part of the tranches of the securitized mortgages who would like to stop those actions from being taken. But even most investors favor it and certainly the mortgage holder and the mortgage maker favor it. So I hope that provision will become law.

And, finally, we also included in this package the provision that allows the Federal Credit Union Act to be amended to allow a 5-year period of payment to rebuild the deposit insurance reserves of the Federal Credit Union. And as we all know, with these hard times and circumstances, the credit unions need the same help to rebuild their deposit reserves.

So, Mr. Chairman, I urge my colleagues to support this bill.

Mr. BACHUS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding.

Mr. Chairman, to state the obvious, everybody in this economy is hurting. I've got personal friends of mine who never thought they would lose their jobs who have lost their jobs.

But when we look at this piece of legislation, you have to ask the question who are you helping, why are you helping, and whom are you hurting to help the other people? We need to remember, Mr. Chairman, that, first, 94 percent of all America still is either renting their home, they own it outright, or they're current on their mortgage.

Now, I want to make sure that we help those who through no fault of their own are finding themselves in arrears. I want to help the person who lost their job or through some debilitating disease can't keep up with their mortgage.

But, Mr. Chairman, mortgage fraud has ran rampant for the last 2 years. There were people out there who speculated in real estate. There were people who turned their homes into personal ATM machines. There are people who could have made sacrifices and now they expect their neighbor to make the sacrifice. Mr. Chairman, it's just patently unfair when you're struggling to pay your mortgage to be forced to pay your neighbor's as well.

I heard from one of my constituents about this very subject. I heard from Theresa Steele in Mesquite, Texas, and she wrote me: "Congressman, I had to put off purchasing a home because of medical expenses that my family had to deal with. While paying these medical expenses, I was able to pay rent on a house. But it's really frustrating. You cannot get a break because our taxes keep going up along with the cost of groceries and gas, et cetera, and it seems no matter what you do, you cannot get ahead when others are out there throwing caution to the wind and seem able to have my tax dollars bail them out. It doesn't seem right to me."

Well, Mr. Chairman, if Theresa Steele was here, I would say it doesn't seem right to me either. To increase her taxes to pay for somebody else's mistake is patently unfair, will not help our economy. You cannot tax and borrow your way back into prosperity.

Mr. FRANK of Massachusetts. Mr. Chairman, in the absence of any correction, I have only one speaker left; so I will reserve the balance of my time.

Mr. BACHUS. Mr. Chairman, I yield 1½ minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman for yielding.

I certainly applaud the committee for trying to do something about this problem, but I'm afraid that this is not the right solution. It actually seeks to help a few at the cost of all homeowners.

First of all, the government seems to be very content these days picking winners and losers. But I don't understand if Mr. BACHUS is paying his mortgage and I'm not, why am I necessarily, just because of that, deserving to renegotiate the contract? What is it that the Federal bankruptcy judge will know about me which will make me have the insider advantage over my friend from Alabama? It doesn't make sense. The judge will have to decide, well, was I laid off because of something that I did? Did I bite off more than I should have chosen, because of my irresponsibility, because of the lender's irresponsibility? I think the precedent of this is extremely scary. And why only contracts that involve real estate? What about other contracts that people get involved with in terms of debt?

The fact of this is it's going to also not just put the government in a position of picking winners and losers, but it's going to put more uncertainty in the market. And right now, as I talk to Realtors and bankers and investors, what this market needs on Main Street and Wall Street is knowledge of rules. Rules that govern, regulatory practices, whatever they are, if they're here or if they're here, what Wall Street and the investment community needs to know is what are the rules? We will adjust to them. But here we go one more time increasing uncertainty by changing the rules.

Mr. Chair, the Helping Families Save Their Homes Act (H.R. 1106) would allow bankruptcy judges to reduce the principal owed on a mortgage, a practice often referred to as a "cramdown." Judges would also be able to reduce interest rates or lengthen the term of the mortgage. This will help only a few people while raising the cost of borrowing for thousands of moderate-income and first-time homebuyers.

Although supporters claim that this is a limited provision that applies only to existing mortgages, the cramdown language can easily be amended to make it permanent at a later date—which would then be priced into future mortgages. In addition, the House bill lacks many of the targeted limitations designed to make sure that bankruptcy is a last resort. It even weakens language passed earlier by the House Judiciary Committee that was designed to keep those who filed fraudulent mortgage applications from taking advantage of cramdowns.

H.R. 1106 does contain two important provisions to correct flaws in the housing bailout plan passed last year.

Problems with Cramdowns: Allowing bankruptcy judges to modify mortgages would raise mortgage costs for everyone and even more for first time homebuyers. Cramdowns would add additional risk that mortgages will not be repaid as the contract requires. Lenders must charge for that added risk, and experts estimate that the additional costs would raise mortgage rates by as much as two full percentage points or substantially increase required down payments. This increase would apply to every mortgage applicant in order to ensure that the entire pool of mortgages remains profitable upon resale to the secondary market.

Mortgage companies would greatly expand "risk based pricing" of individual mortgages as well. These added costs would fall hardest on moderate-income and first-time homebuyers, who have a higher risk of defaulting on a mortgage. This will price many families out of the housing market.

Further undermine the value of mortgage-backed securities: Banks and other investors are already facing heavy losses not only because mortgage-backed securities have lost much of their value but because of uncertainties about whether the mortgages will be paid. The language in H.R. 1106 increases this uncertainty. Investors will be at risk of both foreclosure and cramdowns that reduce the earnings of these securities. Many cramdown mortgages will later go into foreclosure. Since investors have no idea what this new provision will do to the value of their securities, prices will drop further.

Fail to help many homeowners: Only one-third of all Chapter 13 filers completes the process successfully and gets the fresh start that bankruptcy promises. The other two-thirds "pay court fees, pay attorney's fees, pay fees to the bankruptcy trustee, invest time and money to restructure their financial affairs, and then wind up with nothing more than temporary relief. In fact, one third of chapter 13 filers go on to file for bankruptcy again.

Other Provisions in H.R. 1102: The Helping Families Save Their Homes Act also contains a mixture of other housing and financial provisions. These include:

Liability waivers for mortgage servicers that modify mortgages: Mortgage servicers receive

payments from mortgages and forward them (after fees) to the owners of the mortgages. As the main contact with homeowners, mortgage servicers should be able to refinance or alter mortgages in order to ensure that the owners get the best possible return, but many fear that unhappy mortgage owners would sue them. The legislation provides these servicers with a safe harbor so long as they act within certain specified boundaries. This is a needed change.

Making \$250,000 FDIC and MCUA deposit insurance levels permanent: Last fall, Congress increased deposit insurance coverage by FDIC and NCUA to \$250,000 until December 2009. This bill makes that change permanent and also increases the agencies' borrowing authority to cover their losses. Borrowing authority is used only if the deposit insurance fund runs out. This is a useful change but unlikely to be needed.

Keeping predatory lenders from taking advantage of FHA programs: Section 203 of H.R. 1106 makes it easier for HUD and the FHA to prevent predatory lenders from underwriting FHA-guaranteed home loans. This is a needed reform.

Trying to fix the Hope for Homeowners program: Last summer, Congress created Hope for Homeowners, an FHA-based program that it originally. FHA claimed the program which is run jointly with Treasury, would help up to 2 million homeowners. To date, according to the FHA, it has actually helped about 500. The legislation makes a number of changes that will make it more attractive to homeowners, raise the cost of it by \$2.3 billion, but is unlikely to otherwise improve it.

Making the Problem Worse: Mortgage cramdowns would further destabilize an already damaged housing market while increasing mortgage costs for future borrowers. The useful changes it makes are necessary but in no way overcome the downsides associated with the passage of this legislation.

ANALYSIS OF THE HOMEOWNER AFFORDABILITY AND STABILITY PLAN

Two of the bill's three key components are designed to provide subsidies and benefits primarily to homeowners who, while still current in their payments, may not be able to take advantage of attractive refinancing opportunities at lower interest rates because the value of their home has declined beyond the loan-to-value ratio permitted by rules governing mortgage investments made by Fannie Mae and Freddie Mac. The second such provision of the plan would provide taxpayer and investor subsidies to mortgage borrowers who have taken on more debt than they could safely manage, including, in some cases, credit card and automobile debt. The third component of the plan encourages the enactment of legislation allowing bankruptcy judges to alter the terms of certain mortgage loans, a practice that to date has been prohibited by federal law.

The legislation suffers from 12 specific weaknesses and risks: The plan's Stability Initiative bestows new and costly benefits on those who took on more debt than they could handle, including credit cards, automobile loans, and mortgages (including refinancing and seconds). Worse, the value of the benefits will vary in direct proportion to the degree of borrower financial irresponsibility and the intensity of community land regulations. Homeowners with a first mortgage as large as

\$729,750 are eligible for the initiative, meaning that the well-to-do will receive more financial benefits than those of modest means. And as analysts at one nationwide financial firm noted, "The modifications would go disproportionately to borrowers who overstretched and who lied about their income." This moral hazard sends a clear message to the American people: The worse the behavior, the greater the reward.

Under this Stability Initiative, borrowers with a ratio of mortgage debt service to income greater than 31 percent can have their mortgage interest rate reduced to as little as 2 percent if that is what it takes to achieve the 31 percent ratio-with government paying half the subsidy and the investor/lender surrendering the other half. If this concession is insufficient to reach 31 percent. Eligible borrowers may also have loans that are as much as 50 percent greater than the value of the house.

It is also unlikely that, under the Stability Initiative, borrowers with a ratio of debt service payment to income as high as 55 percent—because of combined mortgage, credit card, and automobile debt—will be eligible to receive temporary payment reductions if they merely agree to HUD-approved counseling. Such borrowers may then be eligible for permanent payment reductions. This reduction scheme will be disclosed in rules that the Administration has announced it will release on March 4.

Because the investor/lenders will be responsible for a portion of the mortgage rate reduction, this program will deter private sector investment in all but the best mortgages. Combined with the proposed "cramdown" bankruptcy proposals, the net effect will be to require a substantial and permanent federal presence in the housing finance market to accommodate those many potential borrowers who are not highly qualified.

The plan also includes a formal endorsement by the President of a bankruptcy provision that allows judges to alter the terms of certain mortgages. This provision will increase the risk to lenders of all mortgages. The industry is already treating this as a permanent measure. Increased risk requires higher costs to compensate lenders, and either down payments or interest rates would have to rise, while potential borrowers with checkered credit histories would be denied access to credit. However, these costs would not rise evenly for all borrowers: Higher-risk borrowers (first-time buyers and moderate-income workers) would see costs rise more and have fewer opportunities to buy a house.

Anticipating such criticisms, the proposal contends that it will "seek careful changes to personal bankruptcy provisions." However, because any changes in bankruptcy law must be passed in legislation, this outcome may merely be wishful thinking. As the President wants to make sure that "millionaire homes don't clog bankruptcy courts," mortgages eligible for judicial "cramdown" cannot exceed \$729,750 in value. Moreover, the most recent version of the legislation weakens language adopted earlier by the House Judiciary Committee to prevent borrowers who committed fraud in their mortgage application from taking advantage of cramdown.

The plan's Refinancing Initiative creates a new right for American borrowers now current in their mortgage payments; the right to refinance their home at a lower interest rate even

if the quality of the loan—as measured by the loan-to-value ratio—would otherwise pose a risk to the lender. As such, this proposal establishes the act of being highly leveraged or slightly “underwater” (the amount that a borrower owes on his or her mortgage is more than the value of the house) as a legitimate reason to default, and as a policy problem worthy of taxpayer support and federal intervention. The creators of this new right fail to recognize that many other consumer credit markets operate comfortably, successfully, and safely despite the fact that many borrowers are underwater the minute they sign the contract—notably home improvements, mobile homes, automobiles, RVs, and HDTV’s. Though those borrowers do expect to be “underwater” for these kinds of purchases, it raises the question of whether future legislation will extend this concession to car loans and credit card debt, which are also experiencing significant levels of default.

Only borrowers with loans held or repackaged by the federally controlled and subsidized Fannie Mae and Freddie Mac will be eligible to exercise this new right to refinance. Borrowers whose loans are held by private investors are denied this right, further distorting the housing markets with government-selected winners and losers.

To date, the several, federal loan modification programs that have been put in place have had very limited success, and the rate of failures exceeds that of successes, especially for loans where one or more payments have been missed. For loans that were four months past due at time of modification, the recidivism rate is 80 percent after 12 months. For loans one month past due, the recidivism rate after 12 months is 60 percent. With the nationwide decline in house prices accelerating in recent months, the risk of recidivism under the new program could remain at high levels.

The program will cost \$275 billion (\$75 billion for problem mortgages and \$200 billion for Fannie Mae and Freddie Mac).

Obama’s plan will take a great deal of time to implement. A recent MarketWatch.com article notes that loan refinancing applications are up 47 percent at a time when a substantial portion of the loan originating infrastructure has disappeared due to bankruptcy and bank consolidation. The prospect that a shrunken mortgage lending system could expeditiously accommodate the 7–9 million borrowers expected by the Obama plan is wishful thinking. The result will be long waits for refinancing that will come too late for some borrowers and may also crowd out efforts by unsubsidized borrowers to refinance due to the generous financial incentives offered to servicers participating in the new federal program.

Perhaps the most troubling part of the plan is the increased reliance being placed on the now federally controlled Fannie Mae and Freddie Mac, whose tax and corrupt behavior over the past decade was an important contributing factor to the present economic crisis. Although nominally privately owned, both are now run by the U.S. Treasury, whose massive holdings of preferred shares in both give it a huge implicit ownership stake. As is clear from the refinancing plan—which will reduce Fannie’s and Freddie’s earnings and thus weaken them further—the two have become little more than the federal government’s captive mortgage financing banks to be used at will for any housing policy initiatives that the

President and/or Congress wish to pursue. And with the plan’s many provisions discouraging the private sector from getting involved in mortgage finance, this plan substantially advances the de facto nationalization of America’s housing finance system for all but the “jumbo” mortgages that exceed conforming limits.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself 10 seconds.

The gentleman from Georgia asked about what other contracts. This is precisely the bill to make this like other contracts. Everything else can be declared void in bankruptcy. So the gentleman has it absolutely backwards. This doesn’t create an exception to general contract law. It amends one and makes this on the same footing as, quoting the gentleman, all other contracts.

Mr. BACHUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to introduce into the RECORD an article from the New York Times, dated September 30, 1999, and here’s what it says:

“Fannie Mae, the Nation’s biggest underwriter of home mortgages, has been under increasing pressure from the Clinton administration to expand mortgage loans among low and moderate income people . . .”

And then they quote Franklin Raines: “Fannie Mae has expanded home ownership for millions of families in the 1990s by reducing down payment requirements. Yet there remains too many borrowers whose credit is just below what our underwriting has required and who have been relegated to paying significantly higher mortgage rates . . .”

Well, I think we know the rest was history. They lowered their standards, they moved into this new risky form of lending, and then last July the American people were submitted the bill, and that bill was a half trillion dollars, and every day we’re adding billions of dollars to that tab. And there were people at that time who warned that it was risky and who warned that ultimately the taxpayers may have to step in and bail out Freddie and Fannie. Now today we are being asked to adopt legislation, the HOPE for Homeowners Program, which would require FHA to insure loans with a greater risk of default and require a higher per loan taxpayer subsidy.

In fact, the Congressional Budget Office says that this program is going to help 25,000 borrowers, but it’s going to cost up to \$579 billion. Now, coupled with the new projection that the HOPE for Homeowners is going to only help 25,000 borrowers, that’s \$23,000 per borrower that you’re going to ask the American people to pay or expose them to that risk.

I’m going to give you the same warning that was given in 1999. It’s the taxpayer that’s going to have to take up the cost of this subsidy and this risk. And for that reason, I am not willing to burden the taxpayer with another dollar.

These are terrible economic times. All taxpayers are under risk. Many taxpayers are facing loss of their job. At a time like this, an uncertain time like this, to further expose the taxpayers of this country, the American families we represent, to another half trillion dollars’ worth of exposure is not something that I’m willing to do.

I am willing, and I have said many times I was willing, to endorse the Kanjorski-Castle provision, which would allow servicers with lenders and borrowers to work out terms, and I applaud that provision in the bill. Strip out this \$23,000 per-loan program and we will all go down and vote for Castle-Kanjorski.

And let me say this: we have had one too many bailouts. We don’t need another one. It’s time that we started watching out for the taxpayer and help borrowers without submitting the bill to hardworking Americans.

[From the New York Times, Sept. 30, 1999]

FANNIE MAE EASES CREDIT TO AID MORTGAGE LENDING

(By Steven A. Holmes)

In a move that could help increase home ownership rates among minorities and low-income consumers, the Fannie Mae Corporation is easing the credit requirements on loans that it will purchase from banks and other lenders.

The action, which will begin as a pilot program involving 24 banks in 15 markets—including the New York metropolitan region—will encourage those banks to extend home mortgages to individuals whose credit is generally not good enough to qualify for conventional loans. Fannie Mae officials say they hope to make it a nationwide program by next spring.

Fannie Mae, the nation’s biggest underwriter of home mortgages, has been under increasing pressure from the Clinton Administration to expand mortgage loans among low and moderate income people and felt pressure from stock holders to maintain its phenomenal growth in profits.

In addition, banks, thrift institutions and mortgage companies have been pressing Fannie Mae to help them make more loans to so-called subprime borrowers. These borrowers whose incomes, credit ratings and savings are not good enough to qualify for conventional loans, can only get loans from finance companies that charge much higher interest rates—anywhere from three to four percentage points higher than conventional loans.

“Fannie Mae has expanded home ownership for millions of families in the 1990s by reducing down payment requirements,” said Franklin D. Raines, Fannie Mae’s chairman and chief executive officer. “Yet there remain too many borrowers whose credit is just a notch below what our underwriting has required who have been relegated to paying significantly higher mortgage rates in the so-call subprime market.”

Demographic information on these borrowers is sketchy. But at least one study indicates that 18 percent of the loans in the subprime market went to black borrowers, compared to 5 percent of loans in the conventional loan market.

In moving, even tentatively, into this new area of lending, Fannie Mae is taking on significantly more risk, which may not pose any difficulties during flush economic times. But the government-subsidized corporation may run into trouble in an economic downturn, prompting a government rescue similar

to that of the savings and loan industry in the 1980s.

"From the perspective of many people, including me, this is another thrift industry growing up around us," said Peter Wallison a resident fellow at the American Enterprise Institute. "If they fail, the government will have to step up and bail them out the way it stepped up and bailed out the thrift industry."

Mr. Chair, there are elements in this legislation that I support, such as permanently increasing deposit insurance coverage limits to \$250,000 that will strengthen our banking system and help avoid destabilizing bank runs. The Kanjorski-Castle language, providing a safe harbor for mortgage servicers, is a timely and targeted solution that encourages loan modifications that benefit both homeowners and investors. It is a commonsense approach to help keep American families in their homes.

And while I do support certain provisions in this bill—and did so in Committee—I oppose the legislation as a whole, and urge my colleagues to do the same.

Enacted by Congress last July, Hope for Homeowners has been a failure by virtually every metric. And rather than cut taxpayer losses, this legislation aims to fix a fundamentally unflexible program, while abandoning key taxpayer safeguards.

Initially, proponents claimed this program would provide relief to 400,000 borrowers. They were wildly off mark. In fact, the program has received a mere 400 applications and closed on just 43 new loans.

If today's legislation was enacted, the Hope for Homeowners program would allow FHA to insure loans with greater risk of default and require a higher per loan taxpayer subsidy. The non-partisan Congressional Budget Office (CBO) projects that even with these changes, the program will help a mere 25,000 borrowers, at best. Far from the 400,000 promised, and far from a success.

According to CBO research, taxpayers may be responsible for up to \$579 million as a result of potential defaults. This nearly billion dollar figure, coupled with the new projection that Hope for Homeowners will only assist at most 25,000 borrowers, could potentially cost the taxpayer an astounding \$23,000 per loan.

Throughout the campaign, President Obama almost daily expressed his goal of ending wasteful, underperforming and duplicative government programs. How many times do we have to attempt to change a program that has helped 43 borrowers nationwide? Under President Obama's criteria, HOPE for Homeowners would certainly qualify as a program to be cut.

And worse, bankruptcy cram-down provisions included in this bill will further reward poor decisions made by a small amount of individuals and lenders, while adding uncertainty to the market and increasing mortgage costs for the vast majority of Americans.

Congress should be asking: who is this legislation intended to help, and is it fair? Will this bill reward irresponsible behavior and punish those who have played by the rules and lived within their means? And how will this legislation stimulate the economy?

Times are tough for American families—we all know that. But merely throwing good taxpayer money after bad is not the solution to our economic problems. We must consider the long-term consequences of our actions and how working American families and taxpayers will be affected. This legislation is not the answer. I urge my colleagues to vote "no."

The CHAIR. The gentleman from Massachusetts has 80 seconds remaining.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield the balance of my time to one of the leaders in the effort to preserve homeownership for deserving people in America and the fight against abuses, the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman and Members, I am so pleased to stand here today in support of H.R. 1106, the Helping Families Save Their Homes Act of 2009.

I work on both of these committees, the Financial Services Committee, the Judiciary Committee. I want to thank Mr. FRANK, I want to thank Mr. CONYERS, and all those Members who have been working so hard to try to assist our homeowners with loan modifications. We knew that we'd never be able to get this done without judicial modifications of home mortgages during bankruptcy for borrowers who have run out of options. That's in the bill.

The other thing in this bill, the safe harbor for servicers that would allow them to move forward now and do these modifications, the strengthening of HOPE for Homeowners, which Mr. FRANK has worked so hard on, and a piece that I wrote in on FHA approval that would ensure that predatory lending entities are not allowed to participate in the program because they have been ripping off our homeowners.

I want to thank JACKIE SPEIER and Mr. DRIEHAUS for working with me on this part of the legislation. Now I think we are finally putting all the pieces together that can truly do loan modification for so many deserving citizens. I believe that we don't have to deal with this one-by-one effort where homeowners are trying to call banks and servicers, not being able to get in touch with anybody, not being able to be serviced, but, rather, they can now depend on the law that we are putting out here today.

I would urge everyone to vote for this bill.

Mr. DINGELL. Mr. Chair, I rise today in support of H.R. 1106, the "Helping Families Save Their Homes Act of 2009." We are in the midst of the gravest recession in recent memory and hear daily of countless foreclosures across the Nation, particularly in my home state of Michigan. As President Obama mentioned during his address to the Congress two days ago, the Federal government can and must pursue measures to mitigate the effects of this terrible economic blight upon the Nation's citizens.

With the painful memories of the Great Depression still clearly in mind, I offer my wholehearted praise and support for the President's call to action. Additionally, as the representative of a congressional district with one of the Nation's highest foreclosure rates and most dramatic decline in housing values, I feel it imperative that we move swiftly to stabilize the housing market to keep people in their homes.

H.R. 1106 is a good first step toward achieving this goal. Its improvements to the Hope for Homeowners program and provision

for a safe harbor to mortgage servicers that elect to participate in mortgage modifications will help stem the tide of foreclosures sweeping across the country. The bill's provision to make permanent the increase in Federal deposit insurance from \$100,000 to \$250,000 will give Americans greater faith in the safety of their savings at a time of continued bank failures.

Nevertheless, I am troubled by the broad authority afforded to bankruptcy judges in Title I of H.R. 1106 to modify the terms of a loan for primary residences. It is my view that this authority should be limited to apply only to those homeowners subject to the ill effects of deceptive lending practices that gave rise to the recent mortgage crisis. Further, I am concerned that the aptly named "cramdown" authority in Title I of the bill will encourage people to seek bankruptcy as a matter of course, and not of last resort, in addressing their indebtedness.

This aside, I cannot in all good conscience oppose passage of H.R. 1106. I will vote in favor of this well-intentioned legislation but in so doing, call upon my colleagues to narrow the applicability of the H.R. 1106's loan term modification provisions in conference.

Mr. BLUMENAUER. Mr. Chair, this bill is a significant step in the right direction for all Americans struggling to pay their mortgages.

Today, our economy is facing a real and growing crisis, threatening the longest period of economic stagnation since the Great Depression. Nowhere is that problem more evident than in the wave of home foreclosures. In my state, the foreclosure rate is below the national average but continues to rise. According to the Center for Responsible Lending, more than 20,000 new foreclosures will be initiated in Oregon in 2009.

These foreclosures affect neighbors who may have paid off their mortgages long ago and communities whose tax bases are eroding quickly, creating a vicious cycle of house price declines, defaults, and foreclosures.

I would like to highlight the bankruptcy provisions in this bill. Providing the bankruptcy courts with the authority to reduce the principal owed on mortgages, reduce interest rates, and reduce fees is a crucial victory for consumers.

Under those provisions, the bill provides bankruptcy courts with the same options for the treatment of primary residences that are already available to the courts for second homes, vacation homes, and investment property.

It makes absolutely no sense that Donald Trump can have the mortgage of his fourth vacation home modified to more acceptable terms if he goes bankrupt, but that John and Jane Doe living in their primary residence of Anywhere, USA, are not afforded this help.

Another key set of provisions are the improvements to the Hope for Homeowners program. Under the Bush Administration, that program—while touted as a lifeline for struggling homeowners—did not insure a single loan.

This bill opens the door to participation by homeowners by reducing insurance premiums, easing requirements for lenders to participate, and defraying some of the costs of refinancing mortgages.

Overall, this legislation is a good step in the right direction, but we cannot take our eye off the ball, and I will continue working with my colleagues to address these challenges.

□ 1330

The CHAIR. All time for general debate has expired.

Mr. FRANK of Massachusetts. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TONKO) having assumed the chair, Mr. SERRANO, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1106) to prevent mortgage foreclosures and enhance mortgage credit availability, had come to no resolution thereon.

EXPRESSING CONDOLENCES TO FAMILIES OF VICTIMS OF CRASH OF CONTINENTAL CONNECTION FLIGHT 3407

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 183.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ARCURI) that the House suspend the rules and agree to the resolution, H. Res. 183.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CLEAVER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 399, nays 0, not voting 32, as follows:

[Roll No. 90]

YEAS—399

Abercrombie	Boren	Clyburn
Ackerman	Boswell	Coble
Aderholt	Boustany	Coffman (CO)
Adler (NJ)	Boyd	Cohen
Akin	Brady (PA)	Cole
Alexander	Brady (TX)	Conaway
Altmire	Braley (IA)	Connolly (VA)
Andrews	Bright	Cooper
Arcuri	Broun (GA)	Costa
Austria	Brown (SC)	Costello
Baca	Brown, Corrine	Courtney
Bachmann	Brown-Waite,	Crenshaw
Bachus	Ginny	Crowley
Baird	Buchanan	Cuellar
Baldwin	Burgess	Culberson
Barrett (SC)	Burton (IN)	Cummings
Barrow	Butterfield	Dahlkemper
Bartlett	Buyer	Davis (AL)
Barton (TX)	Calvert	Davis (CA)
Bean	Camp	Davis (IL)
Berkley	Cantor	Davis (KY)
Berry	Capito	Davis (TN)
Biggert	Capps	DeFazio
Bilbray	Capuano	DeGette
Billirakis	Cardoza	DeLaunt
Bishop (GA)	Carnahan	DeLauro
Bishop (NY)	Carney	Dent
Bishop (UT)	Carson (IN)	Diaz-Balart, L.
Blackburn	Castle	Diaz-Balart, M.
Blumenauer	Castor (FL)	Dicks
Blunt	Chaffetz	Dingell
Boccieri	Chandler	Duggett
Boehner	Childers	Donnelly (IN)
Bonner	Clarke	Dreier
Bono Mack	Clay	Driehaus
Boozman	Cleaver	Edwards (MD)

Edwards (TX)	Latham	Reichert
Ehlers	LaTourette	Reyes
Ellison	Latta	Richardson
Ellsworth	Lee (CA)	Rodriguez
Emerson	Lee (NY)	Roe (TN)
Engel	Levin	Rogers (AL)
Eshoo	Lewis (CA)	Rogers (KY)
Etheridge	Lewis (GA)	Rogers (MI)
Fallin	Lipinski	Rohrabacher
Farr	LoBiondo	Rooney
Fattah	Loeb	Ros-Lehtinen
Filner	Lofgren, Zoe	Roskam
Flake	Lowe	Ross
Fleming	Luetkemeyer	Rothman (NJ)
Forbes	Lujan	Roybal-Allard
Fortenberry	Lummis	Royce
Foster	Lungren, Daniel	Ruppersberger
Fox	E.	Rush
Frank (MA)	Lynch	Ryan (OH)
Franks (AZ)	Mack	Ryan (WI)
Frelinghuysen	Maffei	Salazar
Fudge	Maloney	Sanchez, Linda
Gallely	Manzullo	T.
Garrett (NJ)	Marchant	Sarbanes
Gerlach	Markey (CO)	Scalise
Giffords	Markey (MA)	Schakowsky
Gingrey (GA)	Marshall	Schauer
Gohmert	Matheson	Schiff
Gonzalez	Matsui	Schmidt
Goodlatte	McCarthy (CA)	Schock
Gordon (TN)	McCarthy (NY)	Schrader
Granger	McCaul	Schwartz
Graves	McClintock	Scott (GA)
Grayson	McCollum	Scott (VA)
Green, Al	McCotter	Sensenbrenner
Green, Gene	McDermott	Serrano
Griffith	McGovern	Sessions
Guthrie	McHenry	Sestak
Gutierrez	McHugh	Shadegg
Hall (NY)	McIntyre	Shea-Porter
Hall (TX)	McKeon	Sherman
Halvorson	McMahon	Shimkus
Hare	McMorris	Shuler
Harman	Rodgers	Shuster
Harper	McNerney	Simpson
Hastings (FL)	Meek (FL)	Sires
Hastings (WA)	Meeks (NY)	Skelton
Heinrich	Melancon	Slaughter
Heller	Mica	Smith (NE)
Hensarling	Michaud	Smith (NJ)
Herger	Miller (FL)	Smith (TX)
Herseth Sandlin	Miller (NC)	Smith (WA)
Higgins	Miller, George	Souder
Himes	Minnick	Space
Hinchee	Mitchell	Speier
Hinojosa	Mollohan	Spratt
Hirono	Moore (KS)	Stearns
Hodes	Moore (WI)	Stupak
Hoekstra	Moran (KS)	Sutton
Holden	Moran (VA)	Tanner
Holt	Murphy (CT)	Tauscher
Honda	Murphy, Tim	Taylor
Hoyer	Murtha	Teague
Hunter	Myrick	Thompson (CA)
Inglis	Nadler (NY)	Thompson (MS)
Inslee	Napolitano	Thompson (PA)
Israel	Neal (MA)	Thornberry
Issa	Neugebauer	Tiaht
Jackson (IL)	Nunes	Tierney
Jackson-Lee	Nye	Titus
(TX)	Oberstar	Tonko
Jenkins	Obey	Towns
Johnson (GA)	Olson	Tsongas
Johnson (IL)	Olver	Turner
Johnson, E. B.	Ortiz	Upton
Johnson, Sam	Pallone	Van Hollen
Jones	Pascarella	Visclosky
Jordan (OH)	Pastor (AZ)	Walden
Kagen	Paul	Walz
Kanjorski	Paulsen	Wasserman
Kaptur	Payne	Schultz
Kennedy	Perlmutter	Waters
Kildee	Peters	Watson
Kilpatrick (MI)	Peterson	Watt
Kilroy	Petri	Waxman
Kind	Pingree (ME)	Weiner
King (IA)	Pitts	Welch
King (NY)	Platts	Westmoreland
Kingston	Poe (TX)	Wexler
Kirkpatrick (AZ)	Polis (CO)	Whitfield
Kissell	Pomeroy	Wilson (OH)
Klein (FL)	Posey	Wilson (SC)
Kosmas	Price (GA)	Wittman
Kratovil	Price (NC)	Wolf
Kucinich	Putnam	Woolsey
Lamborn	Radanovich	Wu
Lance	Rahall	Yarmuth
Langevin	Rangel	Young (AK)
Larsen (WA)	Rehberg	Young (FL)

NOT VOTING—32

Becerra	Grijalva	Pence
Berman	Hill	Perriello
Boucher	Kirk	Sanchez, Loretta
Campbell	Kline (MN)	Snyder
Cao	Larson (CT)	Stark
Carter	Linder	Sullivan
Cassidy	Lucas	Terry
Conyers	Massa	Tiberi
Deal (GA)	Miller (MI)	Velázquez
Doyle	Miller, Gary	Wamp
Duncan	Murphy, Patrick	

□ 1404

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE SPEAKER TO DECLARE A RECESS ON WEDNESDAY, MARCH 4, 2009, FOR THE PURPOSE OF RECEIVING IN JOINT MEETING THE RIGHT HONORABLE GORDON BROWN, PRIME MINISTER OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Wednesday, March 4, 2009, for the Speaker to declare a recess, subject to the call of the Chair, for the purpose of receiving in joint meeting the Right Honorable Gordon Brown, Prime Minister of the United Kingdom of Great Britain and Northern Ireland.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

ADJOURNMENT TO MONDAY, MARCH 2, 2009

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning-hour debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

HONORING JOHN MAYES

(Mr. GINGREY of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY of Georgia. Mr. Speaker, in celebration of Black History Month, I want to continue recognizing African Americans from throughout Georgia's 11th Congressional District who have a major impact on their community.

Today, I rise to recognize John Mayes of Rome, Georgia. John has been a dedicated public servant for the people of Rome and Floyd County, Georgia for the majority of his adult life. John is a three-term member of the Floyd County Board of Commissioners, and

he currently serves as the chairman. He is also the current Chair of the Floyd County Public Works Committee.

In addition to his commitment to improving his home county, John also dedicates much of his time to strengthening the health care community in Floyd County, serving on both the Floyd Medical Center Hospital Authority and Management Board and the Floyd County Board of Health.

Despite his heavy involvement in county and city government, John still finds time devote to philanthropic activities, founding Camp Uncle John, a private retreat designed to reach out to area youth, and serving as the director of community organizations such as the YMCA.

In 2007, John Mayes was honored by Rome residents for his selfless community service with the prestigious Heart of the Community Award.

I ask my colleagues, please join me in thanking John Mayes for his service to the people of Rome and Floyd County and his commitment to the betterment of his community.

REGULAR ORDER SHOULD BE THE RULE OF THE DAY

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, I rise to express the opinion that in the recent vote on H.R. 1106, which had to do with mortgage foreclosures and so-called enhancement of mortgage credit availability, it would be incumbent upon leadership of the institution to follow normal process and to allow the membership, if they wish to offer amendments before the Rules Committee, to be afforded that opportunity.

The challenges we face in the mortgage market are enormous, and regular order should be the rule of the day here. You know, we wouldn't have all these difficulties in our country if we would be properly using the normal institutions to resolve loans, loan difficulties, the Federal Deposit Insurance Corporation and the Securities and Exchange Commission. When you don't use those, and you begin to try to tinker at the edges of a really large problem that the country faces, and the implosion of the mortgage market itself, you can make a lot of mistakes.

Members deserve respect. We deserve due diligence by the respective subcommittee and committees, including the opportunity to amend and include ideas in the manager's amendment. If that does not happen, we don't serve the American people well.

I think every Member here deserves that respect. And I would hope that, as next week begins, we will have the opportunity to perfect this legislation, if it can be perfected or, more properly, to meet with the Secretary of the Treasury and the economic leaders of the new administration to perhaps shape a different path forward.

Well, here's another Housing bill, claiming to be a nostrum for what ails us with housing foreclosures.

Last August, the same committee, with no hearings and no opportunity for amendment pushed through a landmark bill called Hope for Homeowners. It was supposed to help workouts, to bring assistance to counselors, to prevent foreclosures. To this date this program has worked out on 25 mortgages only. Twenty-Five—not 250, 2500, 25,000; just 25.

We have seen more foreclosures, not enough workouts, no Wall Street firms or their hired gun servicers coming to the table. The money for the communities engaged in counseling arrived late, and people lost their homes. The next batch of money did not arrive to allow cities to buy homes, and now out of state individuals or companies own the homes and these new owners have no vested interest in the properties. They are looking at the profit they will receive. The communities lose. The people lose. Even those homeowners who are paying their mortgages, keeping up with their bills and being overall good economic citizens are paying because their neighbors fell on dire straits, property values are plummeting. The money that did reach communities sometimes only reached certain communities—others suffered. In northern Ohio, Cleveland got the majority of the money and Toledo suffers with little or no money available to help people. I myself attended an auction run by a company in Dallas, TX, that sold away my constituent's homes to far away people and the communities are struggling and some neighborhoods are even dying.

Then, the last Administration shoved TARP at us. Crisis was coming or at hand and it was the only way to stop it. Those that voted for it thought that they were going to prevent more foreclosures—they wanted to help the people.

They found out Hank Paulson took all the money for Wall Street banks that didn't do workouts, and are not doing workouts. But the last Congress held them up, saved them, and paid them taxpayer dollars. To what end?

It's a new Congress and a new President. Foreclosures are still rampant. The economy is oscillating and the recession is deepening rather than stabilizing.

Now we are told: we've got another idea we want to sell you.

Let's go the bankruptcy route.

Of course, this won't deal with the millions of pending subprime foreclosures and achieve workouts. It will only address people filing for bankruptcy and about 20% of them might have a home involved in that process. These people could be helped, but we are not helping all the other people who are not turning to the last, absolute last resort of bankruptcy.

Do I understand this—no Wall Street big bank has been asked to go bankrupt and its assets distributed to more responsible community banks. But instead of bringing discipline to the banks, now we're going to ask the American people to file bankruptcy first. And, we're going to provide money to pay the fraudulent servicers.

If you're not sure how to vote on this, think what happened before. Think about the solutions we were told would work. Look around your community. Are they working?

I can tell you in my district they are not.

Here are some questions that ought to be answered before we move forward:

1. Does a family have to declare bankruptcy before qualifying for a "workout/refinancing"? Why do families have to do this but not the banks?

2. What % of troubled loans would this plan rescue—less than 10%, . . . up to 90%?

3. Are eligible loans only "subprime" ones, or any loan?

4. In Title 1, why do lenders need financial incentives to modify loans? They've got TARP \$.

5. What % of appropriated funds for this program will go to lenders? Why? How @ servicers? They're not licensed or certified. Why let them qualify for anything? They've been awful.

6. How will the government recoup its money? Is there a shared appreciation provision that reimburses government for its investment?

7. What happens to credit union financed mortgages? They did no subprimes. Are their loans eligible for workouts? What happens when a reduction in principal wipes out their annual profits?

STOP MEDDLING IN THE MORTGAGE INDUSTRY

(Mr. FLEMING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FLEMING. Mr. Speaker, I rise to speak also about H.R. 1106, the so-called mortgage cram-down bill which, I am afraid, is being crammed down the throats of the American citizens.

There are families in this country seriously hurting in these tough economic times. They're looking for ways to keep their homes from going into foreclosure.

I would support a targeted measure to help those who didn't overreach when they purchased a home, but this broad stroke cram-down bill we have been given allows the court system to modify home mortgages, including reducing the loan principal. This would leave responsible homeowners to pick up the tab for the mistakes of others. Also, it would further encourage folks to file bankruptcy, rather than working out their financial problems. Giving the judges the power to arbitrarily change the terms of a mortgage is not the direction we need to go in this country. Home buyers will be forced to pay higher interest rates and downpayments if lenders face the risk that a judge could change mortgage terms in the future.

It was the meddling in the mortgage industry by Congress that helped start this economic mess in the first place. Why should we continue meddling?

Continued efforts by Congress to reward unwise financial decisions will keep the dream of affordable home ownership unattainable for many responsible citizens for years to come.

PROTECT OUR CONSTITUTIONAL LIBERTIES

(Mr. BURTON of Indiana asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, we're not supposed to talk to the American people here. We're supposed to address our colleagues, so I will not talk to the American people. But if I could, I would say to them they ought to be very concerned about their constitutional liberties because they're being challenged and some of them may be done away with very quickly.

People who are members of companies, who work for companies, are going to be forced to do an open vote on whether or not they want to join a union if the Card Check Bill comes and passes this body or is passed by the administration through regulation. And this is something that would take away the right of these people to have a secret ballot on whether or not they want to join the union. That, in my opinion, is a violation of the first amendment.

And then also we have what's called the Fairness Doctrine they're going to try to pass, which would kill talk radio. The liberals in this body and the other body want to stop people like Rush Limbaugh and Sean Hannity from talking about the issues that face the American people because they're conservatives and they're making their points to the American people and the American people listen to them. They don't listen to the liberals, and so they're going to try to shut them up with the Fairness Doctrine. That's unconstitutional, and we should do everything we can to stop it.

DOVER POLICY

(Mr. HUNTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUNTER. Mr. Speaker, I had the privilege last night to meet with Angelia Phillips. Her son, Specialist Michael Phillips, was killed in Iraq on February 24, 2008, with the 1st of the 502nd, 101st Airborne. She was adamant, Mr. Speaker, when she was talking about the Dover Policy. That's the policy that we have right now that does not allow the media to take pictures of our soldiers, marines, sailors and airmen coming home from Iraq and Afghanistan. She said that that return of her son, Specialist Phillips, his returning to America, that was him coming home and to her, that was more important than the actual funeral because that was finally her son coming home to his country that he loved so much and that he gave his life for.

The Dover Policy is good policy. The American public does not need to see the flag-draped coffins of those who carry the burden of freedom for this country. It's up to that family because that's a special solemn moment, Mr. Speaker. The Dover Policy is good policy. We should not reverse it.

THE APPROACHING FINANCIAL HURRICANE

(Mr. CULBERSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CULBERSON. Mr. Speaker, the American people need to know that this Congress in less time has spent more money than any Congress in history. At a time in American history when we are at war worldwide with terrorists, at a time when we face financial crisis of unprecedented proportion, we, as Members of Congress, have a very special duty to protect the Treasury of the United States, to be careful, thoughtful and deliberative and an open process.

And I want to thank my colleague, Congresswoman MARCY KAPTUR of Ohio. She's exactly right. We need to follow the committee process, absolute transparency, an opportunity to offer amendments, an opportunity for public hearings. Let the public see what bills we are considering.

The stimulus, \$800 billion, was only filed on the Internet 13 hours before the vote. And this Congress, in 21 days, has increased the annual budget of the United States by 110 percent, counting the President's budget today.

Congressman FRANK WOLF is going to speak for 5 minutes in just a minute. We must address the approaching financial hurricane. Congressman WOLF's commission deserves the attention of this Congress in a careful, thoughtful and deliberative way. Let the sun shine in, Mr. Speaker.

□ 1415

ADMINISTRATION SHOULD LISTEN TO THOSE WHO SERVE IN THE ARMED FORCES

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLF. I just want the Members to know that the son of former Congressman Duncan Hunter, now currently Congressman DUNCAN HUNTER who just spoke here about the flag drape policy with regard to our fallen soldiers who return to Dover Air Force Base, served in Iraq in combat and served in Afghanistan in combat. I think that the Obama administration ought to listen to people who serve.

A NEW ERA OF RESPONSIBILITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 111-19)

The SPEAKER pro tempore (Mr. KISSELL) laid before the House the following message from the President of the United States; which was read and, without objection, referred to the Committee on Appropriations and ordered to be printed:

Throughout America's history, there have been some years that appeared to

roll into the next without much notice or fanfare. Budgets are proposed that offer some new programs or eliminate an initiative, but by and large continuity reigns.

Then there are the years that come along once in a generation, when we look at where the country has been and recognize that we need a break from a troubled past, that the problems we face demand that we begin charting a new path. This is one of those years.

We start 2009 in the midst of a crisis unlike any we have seen in our lifetimes. Our economy is in a deep recession that threatens to be deeper and longer than any since the Great Depression. More than three and a half million jobs were lost over the past 13 months, more jobs than at any time since World War II. In addition, another 8.8 million Americans who want and need full-time work have had to settle for part-time jobs. Manufacturing employment has hit a 60-year low. Our capital markets are virtually frozen, making it difficult for businesses to grow and for families to borrow money to afford a home, car, or college education for their kids. Many families cannot pay their bills or their mortgage payments. Trillions of dollars of wealth have been wiped out, leaving many workers with little or nothing as they approach retirement. And millions of Americans are unsure about the future—if their job will be there tomorrow, if their children will be able to go to college, and if their grandchildren will be able to realize the full promise of America.

This crisis is neither the result of a normal turn of the business cycle nor an accident of history. We arrived at this point as a result of an era of profound irresponsibility that engulfed both private and public institutions from some of our largest companies' executive suites to the seats of power in Washington, D.C. For decades, too many on Wall Street threw caution to the wind, chased profits with blind optimism and little regard for serious risks—and with even less regard for the public good. Lenders made loans without concern for whether borrowers could repay them. Inadequately informed of the risks and overwhelmed by fine print, many borrowers took on debt they could not really afford. And those in authority turned a blind eye to this risk-taking; they forgot that markets work best when there is transparency and accountability and when the rules of the road are both fair and vigorously enforced. For years, a lack of transparency created a situation in which serious economic dangers were visible to all too few.

This irresponsibility precipitated the interlocking housing and financial crises that triggered this recession. But the roots of the problems we face run deeper. Government has failed to fully confront the deep, systemic problems that year after year have only become a larger and larger drag on our economy. From the rising costs of health

care to the state of our schools, from the need to revolutionize how we power our economy to our crumbling infrastructure, policymakers in Washington have chosen temporary fixes over lasting solutions.

The time has come to usher in a new era—a new era of responsibility in which we act not only to save and create new jobs, but also to lay a new foundation of growth upon which we can renew the promise of America.

This Budget is a first step in that journey. It lays out for the American people the extent of the crisis we inherited, the steps we will take to jumpstart our economy to create new jobs, and our plans to transform our economy for the 21st Century to give our children and grandchildren the fruits of many years of economic growth.

It is true that we cannot depend on government alone to create jobs or to generate long-term growth. Ours is a market economy, and the Nation depends on the energy and initiative of private institutions and individuals. But at this particular moment, government must lead the way in providing the short-term boost necessary to lift us from a recession this severe and lay the foundation for future prosperity. That's why immediately upon taking office, my Administration worked with the Congress to pass the American Recovery and Reinvestment Act. This plan's provisions will put money in the pockets of the American people, save or create at least three and a half million jobs, and help to revive our economy.

This moment is one of great paradox and promise: while there are millions of Americans trying to find work, there is also so much work to be done. That's why the Recovery Act and our Budget will make long overdue investments in priorities—like clean energy, education, health care, and a new infrastructure—that are necessary to keep us strong and competitive in the 21st Century.

To finally spark the creation of a clean energy economy, we will make the investments in the next three years to double our Nation's renewable energy capacity. We will modernize Federal buildings and improve the energy efficiency of millions of American homes, saving consumers and taxpayers billions on our energy bills. In the process, we will put Americans to work in new jobs that pay well—jobs installing solar panels and wind turbines; constructing energy efficient buildings; manufacturing fuel efficient vehicles; and developing the new energy technologies that will lead to even more jobs and more savings, putting us on the path toward energy independence for our Nation and a cleaner, safer planet in the process.

To improve the quality of our health care while lowering its cost, we will make the immediate investments needed to computerize all of America's medical records within five years while

protecting the privacy of patients. This is a necessary step to reducing waste, eliminating red tape, and avoiding the need to repeat expensive medical tests. We also will fundamentally reform our health care system, delivering quality care to more Americans while reducing costs for us all. This will make our businesses more competitive and ease a significant and growing burden middle-class families are bearing.

To give our children a fair shot to thrive in a global, information-age economy, we will equip thousands of schools, community colleges, and universities with 21st Century classrooms, labs, and libraries. We'll provide new technology and new training for teachers so that students in Chicago and Boston can compete with kids in Beijing for the high-tech, high-wage jobs of the future. We will invest in innovation, and open the doors of college to millions of students. We will pursue new reforms—lifting standards in our schools and recruiting, training, and rewarding a new generation of teachers. And in an era of skyrocketing college tuitions, we will make sure that the doors of college remain open to children from all walks of life.

To create a platform for our entrepreneurs and workers to build an economy that can lead this future, we will begin to rebuild America for the demands of the 21st Century. We will repair crumbling roads, bridges, and schools as well as expand broadband lines across America, so that a small business in a rural town can connect and compete with its counterparts anywhere in the world. And we will invest in the science, research, and technology that will lead to new medical breakthroughs, new discoveries, and entire new industries.

Regaining our economic strength also is critical to our national security. It is a major source of our global leadership, and we must not let it waver. That's why this Budget makes critical investments in rebuilding our military, securing our homeland, and expanding our diplomatic efforts because to provide for the security of the United States we need to use all elements of our power. Moreover, to honor the service of those who have worn our military's uniform, we will make the investments necessary to take care of our veterans.

For these initiatives to lay a foundation for long-term economic growth, it's important that we not only change what Washington invests in, but how Washington does business. We must usher in a new era of responsibility in which we empower citizens with the information they need to hold their elected representatives accountable for the decisions they make. We need to put tired ideologies aside, and ask not whether our Government is too big or too small, or whether it is the problem or the solution, but whether it is working for the American people. Where it does not, we will stop spending taxpayer dollars; where it has proven to be

effective, we will invest. This is the approach, for example, we have begun in allocating funds to education, health care, and national security. And as we continue the budgetary process, we will identify more cuts and reallocations for the full Budget presented this spring, and undertake efforts to reform how the programs you fund are managed so that overruns are avoided, waste is cut, and you get the most effective and efficient Government possible.

In the little more than a month my Administration has had in office, we have not had the time to fully execute all the budget reforms that are needed, and to which I am fully committed. Those will come in the months ahead, and next year's budget process will look much different.

But this Budget does begin the hard work of bringing new levels of honesty and fairness to your Government. It looks ahead a full 10 years, making good-faith estimates about what costs we would incur; and it accounts for items that under the old rules could have been left out, making it appear that we had billions more to spend than we really do. The Budget also begins to restore a basic sense of fairness to the tax code, eliminating incentives for companies that ship jobs overseas and giving a generous package of tax cuts to 95 percent of working families.

Finally, while we have inherited record budget deficits and needed to pass a massive recovery and reinvestment plan to try to jump-start our economy out of recession, we cannot lose sight of the long-run challenges that our country faces and that threaten our economic health—specifically, the trillions of dollars of debt that we inherited, the rising costs of health care, and the growing obligations of Social Security. Therefore, while our Budget will run deficits, we must begin the process of making the tough choices necessary to restore fiscal discipline, cut the deficit in half by the end of my first term in office, and put our Nation on sound fiscal footing.

Some may look at what faces our Nation and believe that America's greatest days are behind it. They are wrong.

Our problems are rooted in past mistakes, not our capacity for future greatness. We should never forget that our workers are more innovative and industrious than any on earth. Our universities are still the envy of the world. We are still home to the most brilliant minds, the most creative entrepreneurs, and the most advanced technology and innovation that history has ever known. And we are still the Nation that has overcome great fears and improbable odds. It will take time, but we can bring change to America. We can rebuild that lost trust and confidence. We can restore opportunity and prosperity. And we can bring about a new sense of responsibility among Americans from every walk of life and from every corner of the country.

BARACK OBAMA.
THE WHITE HOUSE, February 26, 2009.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

THE IMMIGRATION OVERSIGHT AND FAIRNESS ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. ROYBAL-ALLARD) is recognized for 5 minutes.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise to introduce the Immigration Oversight and Fairness Act, which will help address the shameful state of immigration detention in our country.

It is unconscionable that our government holds families in conditions reserved for hardened criminals, forces children caught on their own to spend harrowing nights in border jails and incarcerates in bare cells asylum seekers who came to these shores in search of freedom. These inexcusable abuses should never have happened, and Americans never should have tolerated them.

By strengthening existing regulations and giving them the force of law, the Immigration Oversight and Fairness Act will help ensure that the Department of Homeland Security does not violate its own detention standards.

□ 1430

My bill ensures that all detainees can communicate with their lawyers and obtain needed medical care. It will also help to expand legal orientation programs so that detainees understand their rights and the likelihood of winning their cases.

The Immigration Oversight and Fairness Act also protects vulnerable children who are arrested on their own and held in DHS custody at border stations. A recent report by the Women's Refugee Commission found that the Border Patrol continues to hold unaccompanied immigrant children in inappropriate conditions. This bill increases training for the Border Patrol officers and facilitates speedy transfers of children to safer, better-equipped facilities.

In addition, the bill expands the use of alternatives to detention. It costs the American taxpayer nearly \$2 billion a year to house detainees, yet the vast majority of detained immigrants pose no threat to their communities or our country. This legislation will make it possible for vulnerable populations—including asylum seekers, torture victims, families, pregnant women, and the elderly—to be released using secure, proven methods of supervision that come at a fraction of the cost of incarceration.

Addressing the problems that plague our detention facilities will require a new commitment to openness and transparency. This bill, therefore, has oversight and accountability provi-

sions which will shine a much-needed light on a system that, for too long, has operated in the shadows.

Because it introduces sensible reforms to correct the many failings of immigration detention in this country, the Immigration Oversight and Fairness Act has garnered broad-based support. More than 100 faith, human rights, civil liberties, immigrant and community organizations have signed a letter endorsing my bill. I would like to specifically thank the Lutheran Immigration and Refugee Service, the American Immigration Lawyers Association, and the National Immigrant Justice Center for the important role they played in formulating this legislation and for the tireless work they do every day on behalf of immigrant detainees.

Mr. Speaker, the detention system in which thousands of detainees languish daily—frequently denied access to loved ones, legal counsel, and medical care—is incompatible with our laws and inconsistent with our American values.

The Immigration Oversight and Fairness Act will ensure that our government honors its most sacred obligations: to respect our laws and to protect the children entrusted to its care.

I look forward to working with the Obama administration to fix America's broken immigration system, and I ask my colleagues to support the Immigration Oversight and Fairness Act.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

COMMISSION WITH TEETH: FORCING CONGRESS TO ADDRESS ENTITLEMENT ISSUE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. WOLF) is recognized for 5 minutes.

Mr. WOLF. Mr. Speaker, today the President released his budget request which projects a \$1.8 trillion deficit this year and a \$533 billion deficit for 2013. Yet, the Congressional Budget Office ran a deficit projection using a baseline which assumed the policies in the President's budget request contends that the FY 2013 deficit will be a staggering \$715 billion.

President Obama's pledge of cutting the deficit in half is important, but it will still be at record levels. In this morning's Washington Post, Maya MacGuineas, president of the bipartisan Committee For a Responsible Federal Budget, said she would like "To see them [the Obama Administration] go much further in terms of fiscal responsibility in actually closing that deficit gap."

More to the point, Brian Riedl, budget analyst for the Heritage Foundation,

says, "It is easy to cut the deficit in half after you've quadrupled it."

Today's Politico features an article titled, "Arguments Lost in Blizzard of Billions," which contends—and I agree—that Congress is so desensitized to numbers that "a billion here, a billion there, pretty soon you're talking about—well, pretty soon no one has a clue what you're talking about."

Have we forgotten that we have over \$56 trillion in unfunded obligations through Social Security, Medicare, and Medicaid—already saddled on the back of future generations—\$11 trillion of debt? Do elected officials know that Standard and Poor's Investment Service predicts the loss of America's triple-A bond rating as early as 2012?

When Secretary of State Clinton was in Beijing last week, she asked the Chinese—who now holds the paper of about 1 of every 10 American dollars—to keep buying our debt. I never thought I would see the day when the United States was forced to hold a tin cup in China mortgaging the future for our children and our grandchildren to some of the worst human rights violators in the world.

We are in a crisis today. Main Street is suffering. Americans everywhere understand our country is in serious trouble—we are sinking—and it is on this Congress' watch. The 111th Congress is doing nothing.

Confidence. The definition of "confidence," according to Webster's Dictionary, is "faith or the belief that one will act in a right, proper, or effective way." "Act" being the key word.

Americans are under the belief that elected officials will work together to solve the Nation's most pressing problem. But if Congress is paralyzed by partisan bickering, what happens to the word "act"?

Entitlement spending and the massive debt we're leaving to our children and our grandchildren are pressing issues of economic and moral—this is a moral issue. The Tenth Commandment says, "Thou shalt not steal." Well, this generation is stealing from the next generation. Every day the canyon of debt widens and deepens, and yet elected leaders—many hiding behind the mantra of regular order—seem to think the problem will magically go away. The fact is, congressmen give speeches and say, "I'm all for this. I'm concerned. But let's go through regular order."

When it goes through regular order and it goes through the Budget Committee, when it goes through regular order and it goes through the Ways and Means Committee, it is dead. This Ways and Means Committee this year will not act unless they're forced to act by changing the process.

With that, Mr. Speaker, we have to act to get control of our debt for our children and our grandchildren.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PRESIDENT OBAMA'S BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DANIEL E. LUNGREN) is recognized for 5 minutes.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, today the President of the United States continued a tradition that has existed since the beginning of this Republic, and that is for the Presidents of the United States to send to Congress a message including his budget. This is the blueprint for this administration in the area of taxation and spending for the foreseeable future.

At the outset, Mr. Speaker, let me give the President credit where credit is due. We should remark that the President's budget does highlight the dire problem with unsustainable growth and entitlement spending. He acknowledges that, as it should be acknowledged, and he does it up front. And for that, he is due respect.

Secondly, the President does propose to fix the alternative minimum tax, the AMT, and builds the impact of this proposal into his budget's out-year projections. Now, this is something the previous administration did not do. So this is an improvement in terms of what we might call accounting procedures.

The reform of the AMT does fall short of full reform since it only adjusts for inflation, and bracket creep will push more and more of our constituents, the taxpayers of America, on to the AMT, which was originally considered to catch just a few, a handful, of multimillionaires who, in periods of time some decades ago, escaped any payment of taxes—not because they did anything illegal, but because they took advantage of various tax credits, tax shelters, et cetera, that were then available in the Tax Code.

The President does one courageous thing, I would suggest. He asks us to consider means testing Medicare Part D premiums. Always a controversial issue but one that the President at least presented us with the facts forcing us to deal with those facts.

And the President should be commended for proposing in this budget for emergencies. The previous President, President Bush, set aside \$5.6 billion in a reserve for emergencies in his first budget, but President Obama should be advised that the results of that were that Congress quickly spent the re-

serve on other problems—base programs, not emergency programs. And there is a tendency in this body, and that on the other side of the Capitol, to do the same thing.

Now, those are the things for which I can give the President credit, but overall, this budget is of great concern to me and ought to be great concern to the rest of the American people.

What it would do is increase the national debt by \$2.7 trillion. That's not billion; it's trillion with a "T." \$2.7 trillion this year to \$12.7 trillion requiring another increase in the debt limit which was just increased to \$12.1 trillion in the stimulus bill. It actually doubles the national debt in 8 years.

Now, I know my friends on the other side of the aisle have said, "How can you Republicans speak? You didn't do a very good job." And I will be the very first to admit that when I came back here after an absence of 16 years, I was surprised by the lack of intestinal fortitude in this institution towards fiscal responsibility, and my party was in charge.

You might say, well, President Bush allowed the debt to rise from the first day he was in office to the day he left by \$4.9 trillion. That is a record. But President Obama has already shown us that he's a record breaker because under his budget, the debt is projected to increase by \$5.6 trillion in just 3 years.

How are we going to take care of this? Are we going to be more indebted to the Communist Chinese? Are we going to be more indebted to those around the world? When do we stop the printing presses printing our money? When does the impact of that fall on our most vulnerable in this society, that is those on fixed incomes, when the value of the dollar they have in their pocket or in their bank account or somewhere in the their investment portfolio is worth less than it was just a few months before?

So we raise taxes by \$1.4 trillion over the next 10 years. Now, some of it doesn't really look like taxes because it's called cap and trade revenues. Cap and trade. So under the guise of global warming or climate change, we now are going to have a huge tax increase.

So what we have here is a budget with some small good points, huge debt, huge taxes. That's not the way forward. We must do something better. We can do better.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

(Mr. PAUL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

(Mr. SCHIFF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 1445

NOT DOING AWAY WITH "POLITICS AS USUAL"

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Wyoming (Mrs. LUMMIS) is recognized for 5 minutes.

Mrs. LUMMIS. Mr. Speaker, I want to congratulate you, Mr. Speaker; you and I are freshmen colleagues, and it's wonderful to see you in the chair this afternoon.

You and I came to this Congress as freshmen with a desire to do away with "politics as usual" and start anew. And what I saw yesterday on this floor was not exemplary of that particular goal of mine, and I suspect yours and some of our other freshmen colleagues as well.

What I saw was a rule that was brought to the floor that would prevent us from discussing amendments to the big omnibus \$410 billion spending bill. If you voted for that amendment to stop amendments to the bill, that was your way of being able to voice support for keeping congressional salaries capped. So those of us who are fiscal conservatives had to vote for that amendment in order to be consistent and true to our fiscal conservative roots; but at the same time, we had to disallow ourselves the opportunity to debate and discuss a \$410 billion spending package. So I want to discuss it a little bit today. That bill has already passed, but there are some concerns I have about it, especially when coupled with the stimulus package we passed, especially when coupled with the President's budget that we just received today.

Some of my concerns are these: the President's proposal would provide that those who are making \$250,000 a year and above will be those who are subject to a tax increase. That applies to many of our small businesses in the United States. And my State of Wyoming has no large businesses; it is entirely made up of small businesses. And those businesses create jobs for 70 percent of the jobs in this Nation. So we are, in essence, going to tax those who are creating jobs. And to me, when we're in a budget crisis and a fiscal crisis and a mortgage crisis, those are the wrong people to whom to turn and ask for more revenue.

In addition, the previous speaker pointed out that the President's message, although very comforting to me coming from a coal-producing State like Wyoming, that he does acknowledge that we need clean coal technology, in the very same sentence said we also need cap and trade. And cap and trade is a tax, it will fall primarily on coal, that will send us to other nations to derive our energy. And that, I think, is a step in the wrong direction as well.

Furthermore, the debt that we're taking on will have to be absorbed in large part by other nations. We're already the largest debtor nation in the world. China already owns over \$1 trillion worth of our Treasury notes, our debt. And it must be of great concern to them that we would approach them to buy more of our debt knowing that the consequence of all of this spending will mean we will be paying them back in dollars that are worth less than the dollars that they needed to purchase our U.S. treasuries now. Inflation will be the consequence of all the spending we are doing.

Consequently, I was so hopeful that the President's budget would provide a modicum of discipline and would be flat spending so that the American people will have a chance to see if the stimulus package works before we un-

dertake more government spending to see if the budget that was passed yesterday, the \$410 billion, is responsive to stimulus so we can flatten budgets in the future. But what we saw yesterday is that we're going to increase spending over last year's budget, followed the very next day, today, by even more spending. The levels of spending just get higher and higher, government intervention into the private sector gets higher and higher. The people of this country need us to go shoulder to shoulder with them and exercise the fiscal discipline that they are having to exercise themselves.

Mr. Speaker, again, it's wonderful to see you in the Chair. I thank you for your time.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. ROYBAL-ALLARD) to revise and extend their remarks and include extraneous material:)

Ms. ROYBAL-ALLARD, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFazio, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

(The following Members (at the request of Mr. DANIEL E. LUNGREN of California) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, March 5.

Mr. JONES, for 5 minutes, March 5.

Mr. WOLF, for 5 minutes, today.

Mr. DANIEL E. LUNGREN of California, for 5 minutes, today.

Mrs. LUMMIS, for 5 minutes, today.

SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 234. To designate the facility of the United States Postal Service located at 2105 East Cook Street in Springfield, Illinois, as the "Colonel John H. Wilson, Jr. Post Office Building".

ADJOURNMENT

Mrs. LUMMIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 49 minutes p.m.), under its previous order, the House adjourned until Monday, March 2, 2009, at 12:30 p.m., for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Speaker-Authorized Official Travel during the fourth quarter of 2008 and the first quarter of 2009 pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Juan Lara	12/01	12/02	Rome		150.00						150.00
Mike Brinck	12/01	12/02	Rome		150.00						150.00
Kingston Smith	12/01	12/02	Rome		150.00						150.00
Juan Lara	12/01	12/05	Berlin		682.00						682.00
Mike Brinck	12/01	12/05	Berlin		682.00						682.00
Kingston Smith	12/01	12/05	Berlin		682.00						682.00
Kimberly Ross	12/14	12/17	Rome		313.00						313.00
Brian Lawrence	12/14	12/17	Rome		313.00						313.00
Kimberly Ross	12/14	12/23	Paris		1,071.00						1,071.00
Brian Lawrence	12/14	12/23	Paris		1,071.00						1,071.00
Committee total					5,264.00						5,264.00

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HONORABLE BOB FILNER, Chairman, Feb. 10, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, THOMAS W. ROSS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 26 AND JAN. 31, 2009

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Thomas W. Ross, Jr.	1/26	1/30	Kosovo		796.00		10,093.73				10,889.73
	1/30	1/31	Austria		361.00						361.00
Committee total					1,157.00		10,093.73				11,250.73

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

THOMAS W. ROSS, Jr., Feb. 9, 2009.

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Gary L. Ackerman	12/12	12/14	Cyprus		306.00		(³)				306.00
	12/14	12/15	Afghanistan		75.00		(³)				75.00
	12/15	12/16	Belgium		425.00		(³)				425.00
David Adams	12/12	12/14	Cyprus		306.00		(³)				306.00
	12/14	12/15	Afghanistan		75.00		(³)				75.00
	12/15	12/16	Belgium		425.00		(³)				425.00
Jasmeet Ahuja	12/11	12/16	Sri Lanka		875.00						875.00
	12/17	12/19	Pakistan		152.00						152.00
	12/11	12/19					*11,382.33				11,382.33
David Beraka	11/30	12/3	Algeria		1,081.00						1,081.00
	12/3	12/6	Tunisia		616.00						616.00
	11/30	12/6					10,412.18				10,412.18
Hon. Howard L. Berman	10/12	10/16	Russia		1,984.00		11,497.37				13,481.37
	12/15	12/19	Israel		1,724.00		9,254.30				10,978.30
Paul Berkowitz	12/1	12/5	Germany		1,760.00						1,760.00
	12/5	12/11	Russia		2,934.00						2,934.00
	12/1	12/11					*9,845.46				9,845.00
Hon. Dan Burton	11/6	11/9	Peru		1,384.12		(³)				1,384.12
	11/9	11/11	Chile		635.56		(³)				635.56
	11/1	11/13	Paraguay		372.37		(³)				372.37
Douglas Campbell	10/12	10/16	Russia		1,984.00		8,872.17				10,856.17
Hon. Russ Carnahan	9/30	10/1	Kosovo		176.00		(³)				176.00
	10/1	10/2	Italy		203.00		(³)				203.00
Joan Condon	12/8	12/9	Belgium		341.00						341.00
	12/9	12/10	Senegal		249.00						249.00
	12/10	12/11	Guinea-Bissau		217.00						217.00
	12/11	12/13	Senegal		551.00						551.00
	12/8	12/13					*11,668.18				11,668.18
Hon. William D. Delahunt	11/30	12/5	Germany		1,886.00						1,886.00
	12/5	12/11	Russia		2,967.00						2,967.00
	12/5	12/11					*9,209.98				9,209.98
Howard Diamond	12/12	12/14	Cyprus		306.00		(³)				306.00
	12/14	12/15	Afghanistan		75.00		(³)				75.00
	12/15	12/16	Belgium		425.00		(³)				425.00
Hon. Eliot L. Engel	11/6	11/9	Peru		1,384.12		(³)				1,384.12
	11/9	11/11	Chile		635.56		(³)				635.56
	11/11	11/13	Paraguay		372.37		(³)				372.37
Hon. F. H. Faleomavaega	12/9	12/10	Samoa		466.00						466.00
	12/10	12/15	Tonga		1,290.00						1,290.00
	12/9	12/15					*1,966.93				1,966.93
Hon. Jeff Flake	12/12	12/14	Cyprus		306.00		(³)				306.00
	12/14	12/15	Afghanistan		75.00		(³)				75.00
	12/15	12/16	Belgium		425.00		(³)				425.00
Lelia Gomez	11/5	11/9	El Salvador		726.00		2,025.30				2,751.30
Dennis Halpin	12/2	12/7	Taiwan		1,250.00		11,059.36				12,309.36
Daniel Harsha	11/13	11/16	Spain		1,281.00		(³)				1,281.00
Hon. Ruben Hinojosa	12/12	12/15	Peru		766.00		(³)				766.00
	12/15	12/16	Chile		319.00		(³)				319.00
	12/16	12/18	Argentina		599.42		(³)				599.42
Hans Hogrefe	11/8	11/13	Ecuador		1,223.00		2,241.30				3,464.30
Eric Jacobstein	11/6	11/9	Peru		1,384.12		(³)				1,384.12
	11/9	11/11	Chile		635.56		(³)				635.56
	11/11	11/13	Paraguay		372.37		(³)				372.37
Jonathan Katz	11/11	11/12	Austria		369.00						369.00
	11/12	11/13	Belgium		425.00						425.00
	11/11	11/13					*7,610.38				7,610.38
	12/2	12/4	Israel		862.00						862.00
	12/4	12/5	Czech Republic		413.48						413.48
	12/2	12/5					*7,904.81				7,904.81
David Killion	11/30	12/3	Tunisia		1,081.00						1,081.00
	12/3	12/6	Algeria		616.00						616.00
	12/6	12/10	France		1,692.00						1,692.00
	11/30	12/10					*10,453.60				10,453.60
Robert King	10/12	10/16	Russia		1,984.00		8,872.17				10,856.17
Sophia King	12/12	12/15	Peru		766.00		(³)				766.00
	12/15	12/16	Chile		319.00		(³)				319.00
	12/16	12/18	Argentina		599.42		(³)				599.42
Hon. Ron Klein	11/13	11/16	Spain		1,281.00		(³)				1,281.00
	12/12	12/14	Cyprus		306.00		(³)				306.00
	12/14	12/15	Afghanistan		75.00		(³)				75.00
	12/15	12/16	Belgium		425.00		(³)				425.00
Jessica Lee	12/2	12/7	Taiwan		1,388.00		11,059.36				12,447.36
Vili Lei	12/4	12/09	Italy		2,475.00		8,260.83				10,735.83
Gregory McCarthy	12/12	12/14	Cyprus		306.00		(³)				306.00
	12/14	12/15	Afghanistan		75.00		(³)				75.00
	12/15	12/16	Belgium		425.00		(³)				425.00
Mary McVeigh	12/2	12/7	Taiwan		1,388.00		11,059.36				12,447.36
Alan Makovsky	12/15	12/23	Israel		3,448.00		7,100.30				10,548.30
Pearl-Alice Marsh	11/9	11/11	Senegal		530.00						530.00
	11/11	11/12	Italy		415.00						415.00
	11/12	11/14	Germany		668.00						668.00
	11/9	11/14					*16,718.35				16,718.35
	12/8	12/9	Belgium		341.00						341.00
	12/9	12/10	Senegal		269.00						269.00
	12/10	12/11	Guinea-Bissau		217.00						217.00
	12/11	12/13	Senegal		551.00						551.00
	12/8	12/13					*11,356.02				11,356.02
Hon. Gregory W. Meeks	11/6	11/10	Colombia		1,499.00		2,341.90				3,840.90
	12/12	12/15	Peru		766.00		(³)				766.00
	12/15	12/16	Chile		319.00		(³)				319.00
	12/16	12/18	Argentina		599.42		(³)				599.42
Hon. Brad Miller	11/6	11/9	Peru		1,384.12		(³)				1,384.12
	11/9	11/11	Chile		635.56		(³)				635.56
	11/11	11/13	Paraguay		372.37		(³)				372.37
Jonathan Cobb Mixter	10/12	10/15	Malaysia		500.00		13,371.44				13,871.44
	12/2	12/7	Taiwan		1,388.00		11,059.36				13,425.51
Taylor Morgan	12/8	12/10	Kazakhstan		679.00						679.00
	12/10	12/12	Kyrgyzstan		562.00						562.00
	12/12	12/16	Uzbekistan		824.00						824.00
	12/16	12/17	United Kingdom		425.00						425.00
	12/8	12/17					*13,570.93				13,570.93
Jim Nichols	12/16	12/20	Poland, Georgia, Iceland		1,495.00		(³)				1,495.00
Elisa Perry	12/5	12/11	Russia		2,967.00		8,770.36				11,737.36
Hon. Ted Poe	11/1	11/2	France		463.00						463.00
	11/2	11/4	Georgia		1,004.00						1,004.00

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
	11/2	11/4					413,175.79				13,175.79
	12/15	12/17	Greece		631.00						631.00
	12/17	12/19	Macedonia		373.00						373.00
Peter Quilter	12/15	12/19					411,827.97				11,827.97
	11/6	11/9	Argentina		595.00		3,829.90				4,424.90
	11/9	11/11	Chile		635.56		(³)				635.56
	11/11	11/13	Paraguay		372.37		(³)				372.37
David Richmond	12/4	12/9	Italy		2,475.00		8,260.83				10,735.83
Sheri Rickert	11/24	11/28	Brazil		1,212.00		8,891.30				10,103.30
	12/3	12/6	Russia		1,338.00		8,141.45				9,479.45
Joshua Rogin	11/10	11/12	Austria		738.00						738.00
	11/12	11/13	Belgium		425.00						425.00
	11/10	11/13					48,727.49				8,727.49
Hon. Dana Rohrabacher	12/2	12/5	Germany		1,320.00						1,320.00
	12/5	12/11	Russia		2,867.00						2,867.00
	12/2	12/11					49,283.78				9,283.78
Jule Schoenthaler	11/6	11/9	Peru		1,384.12		(³)				1,384.12
	11/9	11/11	Chile		635.56		(³)				635.56
	11/11	11/13	Paraguay		372.37		(³)				372.37
Daniel Silverberg	12/17	12/18	Pakistan		76.00		10,974.45				11,050.45
Hon. Albio Sires	11/13	11/16	Spain		1,281.00		(³)				1,281.00
Amanda Sloat	10/12	10/16	Russia		1,984.00						1,984.00
	10/16	10/18	Ukraine		708.00						708.00
	10/2	10/18					48,021.48				8,021.48
Hon. Christopher H. Smith	12/15	12/20	Bosnia		1,424.00		9,276.36				10,700.36
Jason Steinbaum	12/3	12/6	Russia		1,338.00		8,141.45				9,479.45
	11/6	11/9	Peru		1,384.12		(³)				1,384.12
	11/9	11/11	Chile		635.56		(³)				635.56
	11/11	11/13	Paraguay		372.37		(³)				372.37
Mark Walker	11/6	11/9	Peru		1,384.12		(³)				1,384.12
	11/9	11/11	Chile		635.56		(³)				635.56
	11/11	11/13	Paraguay		372.37		(³)				372.37
Robyn Wapner	11/6	11/9	Peru		1,384.12		(³)				1,384.12
	11/9	11/11	Chile		635.56		(³)				635.26
	11/11	11/13	Paraguay		372.37		(³)				373.37
Lynne Weil	11/30	12/3	Algeria		826.00						826.00
	12/3	12/7	Tunisia		768.00						768.00
	12/7	12/10	France		1,031.00						1,031.00
	11/9	11/11	Chile		635.56		(³)				635.26
	11/30	12/10					310,428.60				10,428.60
Kristin Wells	11/24	11/28	Brazil		1,212.00		7,563.30				8,775.30
Hon. Robert Wexler	11/11	11/12	Austria		369.00						369.00
	11/12	11/13	Belgium		425.00						425.00
	11/11	11/13					47,610.38				7,610.38
	12/2	12/4	Israel		862.00		310,428.60				862.00
	12/4	12/5	Czech Republic		413.48						413.48
	12/2	12/5					47,904.81				7,904.81
Lisa Williams	12/4	12/9	Italy		2,475.00		8,260.83				10,735.83
Hon. Joe Wilson	12/12	12/14	Cyprus		306.00		(³)				306.00
	12/14	12/15	Afghanistan		75.00		(³)				75.00
	12/15	12/16	Belgium		425.00		(³)				425.00
Brent Woolfork	12/8	12/10	Kazakhstan		679.00						679.00
	12/10	12/12	Kyrgyzstan		562.00						562.00
	12/12	12/16	Uzbekistan		824.00						824.00
	12/16	12/17	United Kingdom		425.00						425.00
Hon. Lynn C. Woolsey	12/8	12/17					413,570.93				13,570.93
	11/13	11/16	Spain		1,281.00		(³)				1,281.00
Committee total					119,932.55		412,835.13		14,118.16		546,885.84

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

⁴ Round trip airfare.

⁵ Indicates delegation costs.

HONORABLE HOWARD L. BERMAN, Chairman, Feb. 5, 2009.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

685. A letter from the Director, Program Dev. And Regulatory Analysis, Rural Development Utilities Programs, Department of Agriculture, transmitting the Department's final rule — Amending the Water and Waste Program Regulations (RIN: 0572-AC11) received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

686. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Grapes Grown in a Designated Area of Southeastern California and Imported Table Grapes; Change in Regulatory Periods [Doc. No.: AMS-FV-06-0184; FV03-925-1IFR] received February 17, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

687. A letter from the Assistant Secretary for Health Affairs, Department of Defense, transmitting the Department's report on the

evaluation of the Polytrauma Liaison/Non-commissioned Officer Program, pursuant to Section 1665 of the National Defense Authorization Act for Fiscal Year 2008; to the Committee on Armed Services.

688. A letter from the Acting Under Secretary of Defense (Personnel and Readiness), Department of Defense, transmitting the Department's report on the Family Subsistence Supplemental Allowance (FSSA) program, pursuant to 37 U.S.C. 402a(f); to the Committee on Armed Services.

689. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2008-0020; Internal Agency Docket No.: FEMA-8057] received February 17, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

690. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2008-0020] received February 17, 2009, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Financial Services.

691. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting notification of an investment made by the Department through the Capital Purchase Program (CPP); to the Committee on Financial Services.

692. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — INTERACTIVE DATA FOR MUTUAL FUND RISK/RETURN SUMMARY [Release Nos.: 33-9006, 34-59391, 39-2462, IC-2861; File Number S7-12-08] (RIN: 3235-AK13) received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

693. A letter from the Secretary, Department of Energy, transmitting notification of the Department's intentions to increase the ceiling dollar amounts of the Department of Energy's (DOEs) expiring energy savings performance contracts, pursuant to 41 U.S.C. 253(c)(7); to the Committee on Energy and Commerce.

694. A letter from the Acting Administrator, Energy Information Administration, Department of Energy, transmitting the Department's report entitled, "Emissions of Greenhouse Gases in the United States 2007," pursuant to Public Law 102-486, 1605(a); to the Committee on Energy and Commerce.

695. A letter from the Acting Director, Department of Health and Human Services, transmitting the Department's first Biennial Report to Congress of the NIH Director for Fiscal Years 2006 and 2007, pursuant to Public Law 109-482, section 403; to the Committee on Energy and Commerce.

696. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Enforcement Discretion Guidance Regarding the Applicability of the Bona Fide Prospective Purchaser Definition in CERCLA Section 101(40) to Tenants — received February 17, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

697. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisd Guidance on Reclassification of Superfund Special Accounts — received February 17, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

698. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — Extension of Deadline for Action on Section 126 Petition From Delaware [EPA-HQ-OAR-2009-0017; FRL-8774-6] received February 17, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

699. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steelmaking Facilities [EPA-HQ-OAR-2004-0083; FRL-8774-1] (RIN: 2060-AM71) received February 17, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

700. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations. (Santa Ana, California) [MB Docket No.: 08-250 RM-11508] received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

701. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations. (Clovis, New Mexico) [MB Docket No.: 08-132 RM-11464] received February 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

702. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations. (Danville, Kentucky) [MM Docket No.: 08-104 RM-11442] received February 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

703. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations. (Montgomery, Alabama) [MB Docket No.: 08-

230 RM-11504] received February 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

704. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (Basin, Wyoming) [MB Docket No.: 08-43 RM-11420] received February 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

705. A letter from the Acting Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement with Japan (Transmittal No. DDTC 149-08), pursuant to 22 U.S.C. 2776(d); to the Committee on Foreign Affairs.

706. A letter from the Acting Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement with France (Transmittal No. DDTC 140-08), pursuant to 22 U.S.C. 2776(d); to the Committee on Foreign Affairs.

707. A letter from the Acting Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement with Canada and Mexico (Transmittal No. DDTC 136-08), pursuant to 22 U.S.C. 2776(d); to the Committee on Foreign Affairs.

708. A letter from the Acting Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement with Belgium (Transmittal No. DDTC 092-08), pursuant to 22 U.S.C. 2776(d); to the Committee on Foreign Affairs.

709. A letter from the Vice Admiral, USN Director, Defense Security Cooperation Agency, transmitting a notice of proposed lease with the Government of Singapore (Transmittal No. 01-09) pursuant to Section 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

710. A letter from the Vice Admiral, USN Director, Defense Security Cooperation Agency, transmitting the Agency's report on services performed during Fiscal Year 2008 by full-time United States government employees who are performing services for which reimbursement is provided under Section 21(a) or Section 43(b) of the AECA; to the Committee on Foreign Affairs.

711. A letter from the Acting Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed technical assistance agreement for the export of technical data, defense services, and defense articles with India (Transmittal No. DDTC 142-08), pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

712. A letter from the Acting Assistant Secretary Legislative Affairs, Department of State, transmitting a report pursuant to Section 201 of Public Law 110-429; to the Committee on Foreign Affairs.

713. A letter from the Chief Operating Officer/ President, Financing Corporation, transmitting a copy of the Financing Corporation's Statement on the System of Internal Controls and the 2008 Audited Financial Statements; to the Committee on Oversight and Government Reform.

714. A letter from the Director, Financial Management and Assurance, Government Accountability Office, transmitting the Office's report on the results of the review of certificated expenditures from funds appropriated for fiscal year 2007 to the President and Vice President for these specified purposes, pursuant to 3 U.S.C. 105(d) and 106(b); to the Committee on Oversight and Government Reform.

715. A letter from the Chief Operating Officer/ President, Resolution Funding Cor-

poration, transmitting a copy of the Resolution Funding Corporation's Statement on the System of Internal Controls and the 2008 Audited Financial Statements; to the Committee on Oversight and Government Reform.

716. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the Department's reports entitled, "Sexual Violence Reported by Juvenile Correctional Authorities, 2005-06" and "Sexual Victimization in Local Jails Reported by Inmates, 2007," pursuant to Public Law 108-79, section 4(c)(1)(A); to the Committee on the Judiciary.

717. A letter from the Ombudsman for Part E, Department of Labor, transmitting the Department's 2008 Annual Report of the Ombudsman for Part E of the Energy Employees Occupational Illness Compensation Program, pursuant to 42 U.S.C. 7385s-15(e); to the Committee on the Judiciary.

718. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Pollution Prevention Equipment [Docket No.: USCG-2004-18939] (RIN: 1625-AA90) received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

719. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — "Gasco" Regulated Navigation Area, Willamette River, Portland, OR [Docket No.: USCG-2008-0112] (RIN: 1625-AA11) received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

720. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — "McCormick & Baxter" Regulated Navigation Area, Willamette River, Portland, OR [Docket No.: USCG-2008-0121] (RIN: 1625-AA11) received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

721. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area and Safety Zone, Chicago Sanitary and Ship Canal, Romeoville, IL [Docket No.: USCG-2008-1247] (RIN: 1625-AA11) received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

722. A letter from the Attorney — Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Willamette River, Portland, OR Schedule Change [Docket No.: USCG-2008-0721] (RIN: 1625-AA09) received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

723. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Altus AFB, OK [Docket No.: FAA-2009-0001; Airspace Docket No.: 09-ASW-2] received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

724. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Update of August 2001 Overflight Fees — received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

725. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Rockport, TX [Docket No.: FAA-2008-0988; Airspace Docket No.: 08-ASW-20] received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

726. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Corpus Christi, TX [Docket No.: FAA-2008-0987; Airspace Docket No.: 08-ASW-19] received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

727. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Colored Federal Airways; Alaska [Docket No.: FAA-2008-0661; Airspace Docket No.: 08-AAL-19] received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

728. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Galena, AK [Docket No.: FAA-2008-0957; Airspace Docket No.: 08-AAL-27] received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

729. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Atlantic, IA [Docket No.: FAA-2008-1105; Airspace Docket No.: 08-AGL-10] received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

730. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Tulsa, OK [Docket No.: FAA-2008-1231; Airspace Docket No.: 08-ASW-25] received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

731. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Corpus Christi, TX [Docket No.: FAA-2008-0987; Airspace Docket No.: 08-ASW-19] received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

732. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Tulsa, OK [Docket No.: FAA-2008-1231; Airspace Docket No.: 08-ASW-25] received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

733. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Rockport, TX [Docket No.: FAA-2008-0988; Airspace Docket No.: 08-ASW-20] received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

734. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class D Airspace; Branson, MO [Docket No.: FAA-2008-1102; Airspace Docket No.: 08-AGL-8] received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

735. A letter from the Assistant Secretary of the Army (Civil Works), Department of the Army, transmitting notification of progress of the report for Louisiana Coastal Protection and Restoration (LACPR) that is being prepared in response to the Energy and Water Development Appropriations Act of 2006; to the Committee on Transportation and Infrastructure.

736. A letter from the Assistant Secretary of the Army (Civil Works), Department of the Army, transmitting notification of the current progress of the Comprehensive Plan report on the Mississippi Coastal Improvements Program (MSCIP) that is being prepared in response to the Department of De-

fense Appropriations Act, 2006; to the Committee on Transportation and Infrastructure.

737. A letter from the Acting Secretary of Labor, Department of Labor, transmitting the Department's first quarterly report in response to USERRA amendments made by the Veterans' Benefits Improvement Act of 2008; to the Committee on Veterans' Affairs.

738. A letter from the Chief, Border Security Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Technical Amendment to List of User Fee Airports: Addition of St. Augustine Airport, St. Augustine, Florida [CBP Dec. 09-04] received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

739. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Technical Corrections Relating to the Rules of Origin for Goods Imported Under the NAFTA and for Textile and Apparel Products [CBP Dec. 08-42] received February 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

740. A letter from the Chief, Trade & Commercial Regs. Branch, Department of Homeland Security, transmitting the Department's final rule — TECHNICAL CORRECTIONS RELATING TO THE RULES OF ORIGIN FOR GOODS IMPORTED UNDER THE NAFTA AND FOR TEXTILE AND APPAREL PRODUCTS [CBP Dec. 08-42] received October 24, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

741. A letter from the Acting Assistant Secretary for Import Administration, Executive Office of the President, Office of the United States Trade Representative, transmitting the Administration's Annual Report on Subsidies Enforcement; to the Committee on Ways and Means.

742. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Revenue Procedure: Purchase Price Safe Harbors for Sections 143 and 25 (Rev. Proc. 2009-18) received February 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. CRENSHAW (for himself, Mr. MEEK of Florida, Mrs. McMORRIS RODGERS, and Mr. KENNEDY):

H.R. 1205. A bill to amend the Internal Revenue Code of 1986 to provide for the establishment of ABLE accounts for the care of family members with disabilities, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself, Mr. BOEHNER, Mr. CANTOR, Mr. PENCE, Mr. MCCARTHY of California, Mr. MCCOTTER, Mr. CARTER, Mr. HOEKSTRA, Mr. KING of New York, Mr. BUYER, Mr. RYAN of Wisconsin, Mr. BLUNT, Mrs. BLACKBURN, Mr. PRICE of Georgia, Mr. BURTON of Indiana, Mr. ROYCE, Mr. MACK, Mr. WILSON of South Carolina, Mr. MCCAUL, Mr. POE of Texas, Mr. BILIRAKIS, Mrs. MYRICK, Mr. SHADEG, Ms. FOXX, Mr. KIRK, Mr. FRELINGHUYSEN, Mrs.

CAPITO, Mr. MARCHANT, Mr. SOUDER, Mr. CONAWAY, Mr. MILLER of Florida, Mr. GOHMERT, Mr. LINDER, Mr. LOBIONDO, Mr. BISHOP of Utah, Mr. TERRY, Mr. LAMBORN, Mr. TIBERI, Mr. BUCHANAN, Mr. BROWN of Georgia, Mr. ROONEY, Mr. SAM JOHNSON of Texas, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. SENSENBRENNER):

H.R. 1206. A bill to strengthen sanctions against the Government of Syria, to enhance multilateral commitment to address the Government of Syria's threatening policies, to establish a program to support a transition to a democratically-elected government in Syria, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, Financial Services, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL (for himself, Mr. KAGEN, Mrs. BACHMANN, Mr. BARTLETT, Mr. JONES, Mr. REHBERG, Mr. POSEY, Mr. BROWN of Georgia, Mr. POE of Texas, Mr. BURTON of Indiana, Mr. ABERCROMBIE, and Ms. WOOLSEY):

H.R. 1207. A bill to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited by the Comptroller General of the United States and the manner in which such audits are reported, and for other purposes; to the Committee on Financial Services.

By Ms. ROS-LEHTINEN (for herself, Mr. BOEHNER, Mr. CANTOR, Mr. PENCE, Mr. MCCARTHY of California, Mr. MCCOTTER, Mr. HOEKSTRA, Mr. KING of New York, Mr. BUYER, Mr. BLUNT, Mrs. BLACKBURN, Mr. PRICE of Georgia, Mr. BURTON of Indiana, Mr. GALLEGLY, Mr. MACK, Mr. WILSON of South Carolina, Mr. BOOZMAN, Mr. MCCAUL, Mr. POE of Texas, Mr. BILIRAKIS, Mrs. MYRICK, Mr. LINCOLN DIAZ-BALART of Florida, Mr. CONAWAY, Mr. MILLER of Florida, Mr. GOHMERT, Mr. LINDER, Mr. PLATTS, Mr. LOBIONDO, Mr. BISHOP of Utah, Mr. TERRY, Mr. LAMBORN, Mr. TIBERI, Mrs. BACHMANN, Mr. BUCHANAN, Mr. BROWN of Georgia, Mr. ROONEY, and Mr. SAM JOHNSON of Texas):

H.R. 1208. A bill to strengthen existing legislation sanctioning persons aiding and facilitating nonproliferation activities by the Government of Iran, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Oversight and Government Reform, Ways and Means, the Judiciary, Education and Labor, and Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARNEY (for himself, Mr. KIRK, Mr. MORAN of Virginia, Ms. NORTON, Mr. CUMMINGS, Mr. BROWN of South Carolina, Mr. TAYLOR, Mr. ISSA, Mr. MICHAUD, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BISHOP of New York, and Ms. BORDALLO):

H.R. 1209. A bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the Medal of Honor in 1861, America's highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Services of the United States, to honor the American military men and women who have been recipients of the Medal of Honor, and to promote awareness of what the Medal of Honor represents and how ordinary Americans,

through courage, sacrifice, selfless service and patriotism, can challenge fate and change the course of history; to the Committee on Financial Services.

By Ms. ESHOO (for herself, Mr. UPTON, Ms. SCHAKOWSKY, Mr. VAN HOLLEN, Ms. BORDALLO, Mr. LANGEVIN, Mr. KLEIN of Florida, Mr. McDERMOTT, Mr. WU, Mr. BURTON of Indiana, Mr. KING of New York, Ms. BALDWIN, Mr. SARBANES, Mr. BISHOP of Georgia, Mr. YARMUTH, Mr. KENNEDY, Mr. RUSH, Mrs. CAPPS, Ms. HARMAN, Mr. MORAN of Virginia, Mr. MURPHY of Connecticut, Mr. BISHOP of New York, Mr. SENSENBRENNER, Mr. MURTHA, Mr. BERMAN, Mr. FRELINGHUYSEN, Mr. ISRAEL, Mr. MATHESON, Mr. SESSIONS, Mrs. EMERSON, Mr. PASCRELL, Ms. NORTON, Ms. MATSUI, Mr. TERRY, Mr. MCHUGH, Mr. GENE GREEN of Texas, Mr. HOLT, Ms. CASTOR of Florida, Mr. RAHALL, Mr. BOUCHER, Mr. NEAL of Massachusetts, Mr. FRANK of Massachusetts, Ms. DELAURO, Mr. SESTAK, Mr. MOORE of Kansas, Mrs. SCHMIDT, Ms. BERKLEY, and Mr. MORAN of Kansas):

H.R. 1210. A bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes; to the Committee on Energy and Commerce.

By Ms. HERSETH SANDLIN (for herself, Mr. MORAN of Kansas, Mr. BOOZMAN, Ms. GINNY BROWN-WAITE of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BOSWELL, Mr. WU, Mrs. MALONEY, Mr. McDERMOTT, and Mr. BISHOP of New York):

H.R. 1211. A bill to amend title 38, United States Code, to expand and improve health care services available to women veterans, especially those serving in Operation Enduring Freedom and Operation Iraqi Freedom, from the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KANJORSKI:

H.R. 1212. A bill to amend the Sarbanes-Oxley Act of 2002 to provide oversight of auditors of brokers and dealers by the Public Company Accounting Oversight Board, and for other purposes; to the Committee on Financial Services.

By Mr. GENE GREEN of Texas (for himself, Mr. SHIMKUS, Mr. McDERMOTT, Mr. SESSIONS, Mr. ORTIZ, and Mrs. BONO MACK):

H.R. 1213. A bill to amend title XVIII of the Social Security Act to provide that the Medicare initial preventive physical examination not be required for a referral with respect to ultrasound screening for abdominal aortic aneurysms and to provide for such screening with respect to at-risk Medicare beneficiaries between the ages of 65 and 75; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GUTIERREZ (for himself, Mr. TOWNS, Mr. MEEKS of New York, Mr. CLAY, and Mr. SCOTT of Georgia):

H.R. 1214. A bill to amend the Truth in Lending Act to establish additional payday loan disclosure requirements and other protections for consumers, and for other purposes; to the Committee on Financial Services.

By Ms. ROYBAL-ALLARD:

H.R. 1215. A bill to reform immigration detention procedures, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Se-

curity, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AKIN (for himself, Mr. CLAY, Mr. CARNAHAN, Mr. SKELTON, Mr. CLEAVER, Mr. GRAVES, Mr. BLUNT, Mrs. EMERSON, and Mr. LUETKEMEYER):

H.R. 1216. A bill to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. AKIN (for himself, Mr. CLAY, Mr. CARNAHAN, Mr. SKELTON, Mr. CLEAVER, Mr. GRAVES, Mr. BLUNT, Mrs. EMERSON, and Mr. LUETKEMEYER):

H.R. 1217. A bill to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the "Specialist Peter J. Navarro Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. AKIN (for himself, Mr. CLAY, Mr. CARNAHAN, Mr. SKELTON, Mr. CLEAVER, Mr. GRAVES, Mr. BLUNT, Mrs. EMERSON, and Mr. LUETKEMEYER):

H.R. 1218. A bill to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the "Lance Corporal Drew W. Weaver Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. BILBRAY (for himself, Mr. FILNER, and Mrs. DAVIS of California):

H.R. 1219. A bill to make amendments to the Reclamation Projects Authorization and Adjustment Act of 1992; to the Committee on Natural Resources.

By Mr. BOREN (for himself and Ms. FALLIN):

H.R. 1220. A bill to amend title 49, United States Code, to provide certain exemptions to drivers of intrastate commercial motor vehicles engaged in agricultural purposes, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BRADY of Texas (for himself, Mr. CARTER, Mr. CONAWAY, Mr. CULBERSON, Mr. EDWARDS of Texas, Mr. GOHMERT, Ms. GRANGER, Mr. SAM JOHNSON of Texas, Mr. MARCHANT, Mr. MCCAUL, Mr. MCGOVERN, Mr. MCHUGH, Mr. NEUGEBAUER, Mr. PAUL, Mr. POE of Texas, and Mr. SMITH of Texas):

H.R. 1221. A bill to amend title II of the Social Security Act to repeal the windfall elimination provision and protect the retirement of public servants; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa (for himself, Mr. KLINE of Minnesota, Mr. BOSWELL, Mr. LOEBSACK, Mr. LATHAM, Mr. KING of Iowa, Mr. OBERSTAR, Ms. MCCOLLUM, Mr. WALZ, Mr. FORTENBERRY, and Mr. PAULSEN):

H.R. 1222. A bill to provide benefits under the Post-Deployment/Mobilization Respite Absence program for certain periods before the implementation of the program; to the Committee on Armed Services.

By Ms. FOX (for herself, Mr. SALAZAR, Mr. WILSON of South Carolina, Mr. ENGEL, and Mr. KISSELL):

H.R. 1223. A bill to require the Secretary of the Army to expand the First Sergeants Barracks Initiative (FSBI) throughout the Army in order to improve the quality of life and living environments for single soldiers; to the Committee on Armed Services.

By Mr. GRIJALVA (for himself, Ms. ROS-LEHTINEN, Mr. HINOJOSA, and Mr. FILNER):

H.R. 1224. A bill to improve the literacy and English skills of limited English proficient individuals, and for other purposes; to the Committee on Education and Labor.

By Ms. HARMAN (for herself and Mr. ROGERS of Michigan):

H.R. 1225. A bill to reauthorize the Select Agent Program by amending the Public Health Service Act and the Agricultural Bioterrorism Protection Act of 2002 and to improve oversight of high containment laboratories; to the Committee on Energy and Commerce, and in addition to the Committees on Agriculture, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HERSETH SANDLIN (for herself and Mrs. LUMMIS):

H.R. 1226. A bill to prohibit the importation of ruminants and swine, and fresh and frozen meat and products of ruminants and swine, from Argentina until the Secretary of Agriculture certifies to Congress that every region of Argentina is free of foot and mouth disease without vaccination; to the Committee on Agriculture.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. MEEK of Florida, Mr. RUSH, Mr. SESTAK, Mr. WATT, Mr. BISHOP of Georgia, Mrs. CHRISTENSEN, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. EDWARDS of Texas, Mr. FILNER, Mr. HINCHEY, Ms. JACKSON-LEE of Texas, Ms. KAPTUR, Mr. PAYNE, Ms. SUTTON, and Ms. WATSON):

H.R. 1227. A bill to waive the time limitations specified by law for the award of certain military decorations in order to allow the posthumous award of the Medal of Honor to Doris Miller for actions while a member of the Navy during World War II; to the Committee on Armed Services.

By Mr. KING of New York (for himself, Mr. PAUL, Mrs. BLACKBURN, Mr. HELLER, Mr. COBLE, Mr. BOOZMAN, Mr. GALLEGLY, Mr. CULBERSON, Mr. WILSON of South Carolina, Mrs. MYRICK, Mr. BILIRAKIS, Mr. KING of Iowa, Mr. BROUN of Georgia, Mr. AKIN, Mr. PRICE of Georgia, and Mr. TAYLOR):

H.R. 1228. A bill to provide that Executive Order 13166 shall have no force or effect, and to prohibit the use of funds for certain purposes; to the Committee on Oversight and Government Reform.

By Mr. KING of New York (for himself, Mr. PAUL, Mrs. BLACKBURN, Mr. COBLE, Mr. BOOZMAN, Mr. GALLEGLY, Mr. LUCAS, Mr. CULBERSON, Mr. WILSON of South Carolina, Mr. BARTLETT, Mr. WITTMAN, Mrs. MYRICK, Mr. BILIRAKIS, Mr. KING of Iowa, Mr. BROUN of Georgia, Mr. AKIN, Mr. PRICE of Georgia, Mr. BUCHANAN, Mr. TAYLOR, and Ms. GINNY BROWN-WAITE of Florida):

H.R. 1229. A bill to amend title 4, United States Code, to declare English as the official language of the Government of the United States, and for other purposes; to the Committee on Education and Labor, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MATSUI (for herself, Mr. BISHOP of Georgia, Mr. MURTHA, Mr. McDERMOTT, Mrs. EMERSON, Mr. GENE GREEN of Texas, Mr. ABERCROMBIE, Ms. SCHWARTZ, Mr. CONYERS, Ms. HIRONO, Ms. BORDALLO, Mr. LEWIS of Georgia, Mr. FRANK of Massachusetts, Mr. WOLF, Mr. KING of

New York, Mr. VAN HOLLEN, Mr. MCGOVERN, Ms. DEGETTE, Mr. ARCURI, and Ms. ESHOO):

H.R. 1230. A bill to amend the Public Health Service Act to provide for the establishment of a National Acquired Bone Marrow Failure Disease Registry, to authorize research on acquired bone marrow failure diseases, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MOORE of Wisconsin (for herself and Mr. FRANK of Massachusetts):

H.R. 1231. A bill to protect the property and security of homeowners who are subject to foreclosure proceedings, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ORTIZ (for himself, Mr. HINOJOSA, Mr. CUELLAR, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. DOGETT):

H.R. 1232. A bill to authorize the Secretary of Veterans Affairs to construct a full service hospital in Far South Texas; to the Committee on Veterans' Affairs.

By Mr. PAUL (for himself, Mrs. BACHMANN, Mrs. BLACKBURN, Mr. BURTON of Indiana, Mr. MILLER of Florida, Mr. TERRY, Mr. FRANKS of Arizona, Mr. MCCOTTER, and Mr. MCCLINTOCK):

H.R. 1233. A bill to prohibit any Federal official from expending any Federal funds for any population control or population planning program or any family planning activity; to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PITTS (for himself and Mr. BRADY of Texas):

H.R. 1234. A bill to establish and provide for the treatment of Individual Development Accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. RANGEL:

H.R. 1235. A bill to award a congressional gold medal to Ray Charles in recognition of his many contributions to the Nation; to the Committee on Financial Services.

By Mr. ROTHMAN of New Jersey (for himself, Mr. HINCHY, Mrs. CAPPS, Mrs. MALONEY, Mrs. DAVIS of California, Mr. MOORE of Kansas, Mr. GEORGE MILLER of California, Ms. DELAURO, Mr. MCGOVERN, Mr. HASTINGS of Florida, Ms. HIRONO, Mr. TIERNEY, Mr. SIRE, Mr. NADLER of New York, Mr. KIND, Mr. ABERCROMBIE, Mr. MCDERMOTT, Mrs. NAPOLITANO, Mr. HONDA, Mr. CARSON of Indiana, Ms. MCCOLLUM, Mr. BERMAN, Mr. ISRAEL, Mrs. TAUSCHER, Mr. SERRANO, Ms. WOOLSEY, Mr. KENNEDY, Mr. OLVER, Mr. MARKEY of Massachusetts, Mr. WEXLER, Ms. ZOE LOFGREN of California, Mr. HOLT, Mr. FARR, Mr. INSLEE, Mr. BRADY of Pennsylvania, Mr. PATRICK J. MURPHY of Pennsylvania, and Mr. STARK):

H.R. 1236. A bill to provide for the provision by hospitals receiving Federal funds through the Medicare Program or Medicaid Program of emergency contraceptives to women who are survivors of sexual assault; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for

consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LINDA T. SANCHEZ of California (for herself, Mr. GRIJALVA, Ms. MATSUI, Mr. JOHNSON of Georgia, Ms. LEE of California, Ms. ZOE LOFGREN of California, Mr. STARK, Mr. WATT, and Ms. SCHAKOWSKY):

H.R. 1237. A bill to amend chapter 1 of title 9 of United States Code with respect to arbitration; to the Committee on the Judiciary.

By Mr. SHADEGG:

H.R. 1238. A bill to prohibit the presence in the United States of any alien formerly detained at the Department of Defense detention facility at Naval Station, Guantanamo Bay, Cuba; to the Committee on the Judiciary.

By Mr. THOMPSON of Mississippi:

H.R. 1239. A bill to establish a homeowner mitigation loan program within the Federal Emergency Management Agency to promote pre-disaster property mitigation measures; to the Committee on Transportation and Infrastructure.

By Mr. VAN HOLLEN (for himself, Mr. BLUNT, Mr. WALZ, and Mr. EHLERS):

H.R. 1240. A bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education; to the Committee on Education and Labor.

By Mr. BECERRA (for himself, Ms. MATSUI, and Mr. SAM JOHNSON of Texas):

H.J. Res. 25. A joint resolution providing for the appointment of France A. Cordova as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

By Mr. SKELTON (for himself, Mr. MCHUGH, Mrs. DAVIS of California, Mr. WILSON of South Carolina, Mr. MILLER of Florida, Mr. BRADY of Pennsylvania, Mr. COURTNEY, Mr. ANDREWS, Mr. ORTIZ, Ms. BORDALLO, Mr. JOHNSON of Georgia, Mr. TAYLOR, Mr. LOEBACK, Mr. REYES, Mr. MARSHALL, Mr. MASSA, Mr. SMITH of Washington, Mr. SPRATT, Mr. SESTAK, Mr. BARTLETT, Ms. SHEA-PORTER, Mr. MCKEON, Ms. LORETTA SANCHEZ of California, Mr. ABERCROMBIE, Mr. JONES, Mr. AKIN, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. CONAWAY, Mr. LARSEN of Washington, Mr. SNYDER, Ms. GIFFORDS, Mr. KISSELL, Mr. LANGEVIN, Mr. MEEK of Florida, Ms. PINGREE of Maine, Mrs. TAUSCHER, Mr. KRATOVIL, Mr. KLINE of Minnesota, Mrs. MCMORRIS RODGERS, Mr. COFFMAN of Colorado, Mr. LAMBORN, Mr. HUNTER, Ms. TSONGAS, Ms. FALLIN, Mr. FLEMING, Mr. ROONEY, Mr. MCINTYRE, Mr. BUTTERFIELD, Mr. DAVIS of Illinois, and Ms. HARMAN):

H. Con. Res. 64. Concurrent resolution urging the President to designate 2009 as the "Year of the Military Family"; to the Committee on Armed Services.

By Mr. RANGEL:

H. Con. Res. 65. Concurrent resolution expressing the sense of the House of Representatives that James Brown, also known as the "Godfather of Soul", should be recognized for his contributions to American music as one of the greatest and most influential entertainers of the 1950s, 1960s, and 1970s as an American cultural icon; to the Committee on Education and Labor.

By Mr. RANGEL:

H. Con. Res. 66. Concurrent resolution expressing the sense of Congress that Lionel Hampton should be honored for his contribu-

tions to American music; to the Committee on Education and Labor.

By Mr. RANGEL:

H. Con. Res. 67. Concurrent resolution expressing the sense of Congress that Lena Horne should be recognized as one of the most popular performers of the 1940s and 1950s and for her outspoken opposition to racial and social injustice; to the Committee on Oversight and Government Reform.

By Mr. RANGEL:

H. Con. Res. 68. Concurrent resolution expressing the sense of Congress that Clifton "Chuck" Sutton should be recognized for his contributions as a community leader, activist, business executive, and a role model to young African-Americans; to the Committee on Oversight and Government Reform.

By Ms. SCHAKOWSKY (for herself, Ms.

FALLIN, Ms. BORDALLO, Ms. CORRINE BROWN of Florida, Mrs. CAPPS, Mr. DAVIS of Illinois, Mr. FATTAH, Ms. GRANGER, Mr. GRIJALVA, Mr. HINCHEY, Mrs. NAPOLITANO, Ms. NORTON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Ms. LEE of California, Mr. MCGOVERN, Mr. MOORE of Kansas, Mr. MORAN of Virginia, Mr. REYES, Mr. RUSH, Mr. SCOTT of Virginia, Ms. SUTTON, Mr. WU, Mr. FARR, Ms. KILPATRICK of Michigan, Mrs. MALONEY, Mr. NADLER of New York, and Mrs. TAUSCHER):

H. Res. 194. A resolution supporting the goals of International Women's Day; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS (for himself, Mr.

CARNEY, Mr. KING of New York, Mr. THOMPSON of Mississippi, Mr. MCCAUL, Mr. ROGERS of Alabama, Mr. AUSTRIA, Mr. SOUDER, Mrs. MILLER of Michigan, Mr. PASCRELL, Mr. CLEAVER, Mr. DENT, Mr. BROUN of Georgia, Mr. DANIEL E. LUNGREN of California, Ms. LORETTA SANCHEZ of California, Mr. CUELLAR, Mr. HIMES, Ms. KILROY, Ms. CLARKE, Ms. NORTON, Mr. MASSA, and Mr. SMITH of Texas):

H. Res. 195. A resolution recognizing and honoring the employees of the Department of Homeland Security on its sixth anniversary for their continuous efforts to keep the Nation safe; to the Committee on Homeland Security.

By Mr. DUNCAN (for himself, Mr.

SHULER, Mr. COHEN, Mrs. BLACKBURN, Mr. COOPER, Mr. ROE of Tennessee, Mr. WAMP, Mr. TANNER, Mr. GORDON of Tennessee, and Mr. DAVIS of Tennessee):

H. Res. 196. A resolution congratulating the University of Tennessee women's basketball team (the "Lady Vols") and Head Coach Pat Summitt on her 1000th victory; to the Committee on Education and Labor.

By Mr. KENNEDY:

H. Res. 197. A resolution to commend the American Sail Training Association for its advancement of character building under sail and for its advancement of international goodwill; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TERRY:

H. Res. 198. A resolution expressing support for the designation of May 7 as National Information and Referral Services Day; to the Committee on Energy and Commerce.

By Mr. TIAHRT (for himself, Mr.

CARTER, Mr. MACK, Mr. PAUL, Mr.

SHIMKUS, Mrs. BACHMANN, Mr. PRICE of Georgia, Mr. GINGREY of Georgia, Mr. BARTLETT, and Mr. MORAN of Kansas):

H. Res. 199. A resolution providing that the Congress should stop passing massive Government bailouts; to the Committee on Financial Services.

By Mr. WOLF (for himself, Mr. MANZULLO, Mr. FRANKS of Arizona, Mr. MCGOVERN, Mr. SMITH of New Jersey, Mr. PITTS, Mr. KIRK, Mrs. MYRICK, Mr. DOGETT, Ms. BORDALLO, Ms. ZOE LOFGREN of California, Mr. MCCOTTER, Mr. SOUDER, and Ms. ESHOO):

H. Res. 200. A resolution calling on the Egyptian Government to respect human rights and freedoms of religion and expression in Egypt; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 17: Mr. SIMPSON.

H.R. 22: Mr. FOSTER, Mr. SIMPSON, Mr. CARNAHAN, Mr. CLEAVER, Mr. THOMPSON of California, Mrs. MILLER of Michigan, and Ms. HERSETH SANDLIN.

H.R. 23: Mr. BRADY of Pennsylvania, Mr. PAUL, Mr. LUCAS, Mr. MILLER of North Carolina, and Mr. WOLF.

H.R. 34: Mr. STARK, Ms. LEE of California, and Mr. HINCHEY.

H.R. 118: Mr. GARRETT of New Jersey.

H.R. 131: Mrs. EMERSON.

H.R. 154: Mr. KING of New York.

H.R. 181: Mr. ARCURI, Mr. GRIJALVA, Ms. BORDALLO, Mr. CARSON of Indiana, Mr. PIERLUISI, Mr. MCGOVERN, and Ms. MARKEY of Colorado.

H.R. 182: Mr. ROTHMAN of New Jersey and Mr. FILNER.

H.R. 193: Ms. SCHAKOWSKY, Mr. ELLISON, and Mr. BLUMENAUER.

H.R. 211: Ms. WOOLSEY, Mr. TERRY, Mr. STARK, Mr. ALTMIRE, Mrs. CAPITO, Ms. SUTTON, Ms. KILPATRICK of Michigan, Mr. PETERS, Mr. MOORE of Kansas, Mr. LARSEN of Washington, Mr. CONYERS, and Mr. UPTON.

H.R. 235: Mr. DAVIS of Tennessee, Ms. JACKSON-LEE of Texas, Mr. BISHOP of Georgia, Mr. SALAZAR, Mr. LYNCH, Mr. WOLF, Mr. BISHOP of Utah, Mrs. NAPOLITANO, Mr. MURTHA, Mr. GARRETT of New Jersey, Mr. DENT, Ms. KAPTUR, Mr. DRIEHAUS, and Mr. ROSS.

H.R. 270: Ms. EDDIE BERNICE JOHNSON of Texas and Ms. FOXX.

H.R. 272: Mr. PATRICK J. MURPHY of Pennsylvania, Mr. RAHALL, Mr. DEFazio, Mr. MILLER of North Carolina, and Ms. CORRINE BROWN of Florida.

H.R. 273: Mr. BOREN.

H.R. 364: Mr. SHADEGG.

H.R. 375: Mr. MCCOTTER.

H.R. 422: Mr. ROSKAM and Mr. CANTOR.

H.R. 430: Mr. RADANOVICH.

H.R. 450: Mr. MACK.

H.R. 484: Mr. GORDON of Tennessee.

H.R. 503: Ms. ESHOO.

H.R. 521: Mr. MCCAUL.

H.R. 527: Mr. FATTAH.

H.R. 557: Mr. TERRY, Mrs. MYRICK, Mr. SHADEGG, and Mr. FLAKE.

H.R. 574: Mr. PLATTS, Mr. MCCOTTER, and Mr. GRIJALVA.

H.R. 616: Mr. FORTENBERRY, Mr. BOREN, Mr. DRIEHAUS, Mrs. BLACKBURN, Mr. RAHALL, Mr. CHILDERS, Mr. MANZULLO, Mr. ROGERS of Kentucky, Mr. BISHOP of New York, Mr. LEE of New York, Mr. PLATTS, and Mr. BRIGHT.

H.R. 627: Ms. ESHOO and Ms. SHEA-PORTER.

H.R. 630: Mr. KING of New York.

H.R. 636: Mr. GARRETT of New Jersey and Mr. BROWN of South Carolina.

H.R. 673: Mrs. BIGGERT and Mr. CARSON of Indiana.

H.R. 684: Mr. COHEN.

H.R. 702: Mr. NADLER of New York.

H.R. 723: Mr. SNYDER and Mr. SOUDER.

H.R. 734: Mr. KANJORSKI, Mr. NEAL of Massachusetts, Mr. CARNEY, Mr. DOYLE, and Mr. BOSWELL.

H.R. 814: Ms. SUTTON and Ms. SCHAKOWSKY.

H.R. 815: Ms. SUTTON, Mr. MCMAHON, Mr. MCGOVERN, Ms. SCHAKOWSKY, Mr. HINCHEY, Mr. CROWLEY, and Mr. CONNOLLY of Virginia.

H.R. 816: Mr. BILBRAY, Mr. YOUNG of Alaska, and Mr. CUELLAR.

H.R. 836: Mr. SHADEGG, Mr. RADANOVICH, Mr. JORDAN of Ohio, Mr. SESSIONS, Mr. BOEHNER, Mr. THOMPSON of California, Mr. POE of Texas, Mr. BERRY, Mr. BISHOP of New York, Ms. GRANGER, Mr. COLE, Mr. MCCAUL, Mr. HOEKSTRA, Mr. TERRY, Mr. YOUNG of Alaska, Mr. WILSON of Ohio, Mr. VISCLOSKEY, Mr. MCHUGH, Mr. MITCHELL, Mr. RAHALL, Ms. BALDWIN, Ms. BEAN, and Mr. MCCARTHY of California.

H.R. 848: Mr. HIGGINS and Mr. POLIS of Colorado.

H.R. 870: Mr. SESTAK.

H.R. 903: Mr. ROGERS of Michigan and Mr. GENE GREEN of Texas.

H.R. 909: Ms. LEE of California and Mr. HASTINGS of Florida.

H.R. 959: Mr. DENT and Ms. SCHWARTZ.

H.R. 968: Mrs. BACHMANN, Mr. LAMBORN, and Mr. PLATTS.

H.R. 978: Mr. MILLER of North Carolina.

H.R. 979: Ms. SCHAKOWSKY.

H.R. 981: Mr. LEWIS of Georgia.

H.R. 982: Mr. POSEY and Mr. HOEKSTRA.

H.R. 988: Ms. BALDWIN, Mr. HOLT, Mr. ROSS, Mr. LATHAM, Mr. LOBIONDO, Mr. GRAVES, Mr. GRIJALVA, Mr. TANNER, Ms. KAPTUR, Mr. CHANDLER, Mr. LOEBSACK, Mr. MOORE of Kansas, Ms. SUTTON, and Ms. NORTON.

H.R. 995: Ms. SLAUGHTER and Ms. WOOLSEY.

H.R. 1015: Mr. GARRETT of New Jersey.

H.R. 1016: Mr. PLATTS, Mr. YOUNG of Alaska, and Mr. HINCHEY.

H.R. 1017: Mr. MICHAUD.

H.R. 1019: Mr. PETERSON.

H.R. 1023: Mrs. MYRICK, Mr. GARRETT of New Jersey, Mr. BROUN of Georgia, Mr. HENSARLING, and Mr. BISHOP of Utah.

H.R. 1024: Mr. LARSON of Connecticut and Mr. CLAY.

H.R. 1036: Mr. CARNAHAN and Ms. CORRINE BROWN of Florida.

H.R. 1068: Ms. LEE of California and Ms. WOOLSEY.

H.R. 1085: Mr. HALL of Texas and Mr. FRANK of Massachusetts.

H.R. 1090: Ms. SUTTON and Mr. BRADY of Pennsylvania.

H.R. 1136: Mr. MCCOTTER and Mr. INGLIS.

H.R. 1150: Mr. FATTAH.

H.R. 1193: Mr. BURTON of Indiana.

H.R. 1196: Mr. COSTA.

H.R. 1199: Mr. BILBRAY, Mr. SESSIONS, and Mr. COBLE.

H. Con. Res. 14: Mr. LANGEVIN, Mr. COBLE, Mr. LEWIS of Georgia, Mr. BACA, Mr. MILLER of North Carolina, Mr. CLAY, Mr. LARSEN of Washington, and Mrs. NAPOLITANO.

H. Con. Res. 36: Ms. CORRINE BROWN of Florida.

H. Con. Res. 48: Ms. DEGETTE.

H. Con. Res. 55: Mr. MARCHANT, Mr. McKEON, Mr. LAMBORN, Mr. BISHOP of Utah, Mr. BUTTERFIELD, Mr. SENSENBRENNER, Mr. BARTLETT, and Mr. MCCOTTER.

H. Res. 42: Ms. FOXX, Mr. BACHUS, Mrs. BLACKBURN, Mr. TERRY, Mrs. MYRICK, Mr. BOSWELL, and Mr. KING of Iowa.

H. Res. 57: Mr. ROTHMAN of New Jersey.

H. Res. 81: Mr. BERRY.

H. Res. 85: Mr. KIRK and Ms. FOXX.

H. Res. 89: Mr. TIM MURPHY of Pennsylvania and Mr. BISHOP of New York.

H. Res. 109: Mr. REICHERT and Mr. MOORE of Kansas.

H. Res. 111: Mr. GARRETT of New Jersey, Mr. MOORE of Kansas, Mr. ROE of Tennessee, Mrs. MALONEY, and Mr. SESSIONS.

H. Res. 130: Ms. TSONGAS, Mr. VAN HOLLEN, Mr. STARK, Ms. DELAURO, and Mr. MCDERMOTT.

H. Res. 175: Mr. VAN HOLLEN, Mr. WAXMAN, Mr. FILNER, Mr. FALEOMAVAEGA, Mr. WILSON of South Carolina, Mr. CROWLEY, Mr. FRANK of Massachusetts, and Ms. ZOE LOFGREN of California.

H. Res. 178: Mr. BARROW.

H. Res. 182: Mr. YARMUTH, Mr. HONDA, and Mr. MILLER of North Carolina.

H. Res. 185: Mr. RYAN of Ohio and Mr. BARROW.

PETITIONS, ETC.

Under clause 3 of rule XII,

17. The SPEAKER presented a petition of the Essex County Board of Supervisors in New York, relative to a resolution urging the Federal Government to include in the federal stimulus package funding for renovations or replacement of the Champlain Bridge at Crown Point; which was referred to the Committee on Transportation and Infrastructure.